

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

DANIEL W. MAHON,

Plaintiff,

v.

AMERICAN AIRLINES, INC.,  
a Delaware Corporation,

Defendant.

Case No: 00-CV-1008-E

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U.S. DISTRICT COURT

**DEFENDANT'S MOTION FOR SUMMARY JUDGMENT AND BRIEF IN SUPPORT  
APPENDIX**

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# EXHIBIT A

EXHIBIT A

AA FORM CSC  
PRINTED IN U.S.A.

NOTICE - UNION MEMBERSHIP

To: Daniel W. Mahon 56628 TULE  
(NAME) (EMPL. NO.) (STATION)

You are being employed as a Mech/Overhaul Effective 3-17-86  
(CLASSIFICATION) (DATE)

Your job classification is covered by an agreement between American Airlines and the Transport Workers Union of America AFL-CIO.

All new employees are required by the terms of the agreement to become members of the union within 60 days of employment and, as a condition of employment, to maintain membership in the union so long as the agreement remains in effect, the extent of paying initiation fees and membership dues.

You must pay your initiation fee directly to the Union. You may pay your membership dues either directly to the union or having them deducted from your paycheck. If you want your dues deducted from your paycheck, you may sign a "Check-off Form" which will be furnished to you by the union. Please see the local union representative (but not on company time) for his name and address:

Mr. Ed Wilson

Local 514, TWU, AFL-CIO

11929 E. Pine, Tulsa, OK 74116

I have read the above notice and I understand it.

Signed Daniel W. Mahon

(EMPLOYEE)

Employee Daniel W. Mahon

Address KOA, 193rd, CATOCSA, OKIA

Signed

D. B. F. H. (COMPANY REPRESENTATIVE)

Date 3-17-86

Original To: Employee

Duplicate To: Union Representative

Tripletate To: Field Personnel File

SHOP 225-4

EXHIBIT

Arbitration  
Company 7

# EXHIBIT B

EXHIBIT B

# **TULSA AREA BOARD OF ADJUSTMENT**

## IN THE MATTER OF ARBITRATION

## OPINION AND AWARD

## between

# AMERICAN AIRLINES, INC.

Case No. M-766-99

**(Discharge of Daniel Mahon)**

and

**TRANSPORT WORKERS UNION OF AMERICA**  
**Local 514**

### APPEARANCES:

On behalf of the Employer: Joseph P. Harkins, Attorney-Littler  
Mendelson and David Stewart, Human Resources-American Airlines

On behalf of the Union: Mike Rial and Kevin Creaser-Local 514 and Steve Hickman, Attorney

## L ISSUE

The issue before the Board can be framed as follows:

"Did the Employer have just cause to terminate the Grievant, and if not, what shall be the remedy?"

## II. **BACKGROUND AND FACTS**

The Grievant Daniel Mahon was first employed in 1986. His assignment at the time of termination was on Dock 2-B as an Avionics Technician. His job performance was good throughout his tenure.

The Final Advisory sets forth the basis of the discharge. To understand the advisory letter, it is necessary to provide some background. The backdrop for the factual scenario leading up to termination is the Company's corporate diversity program. In simple terms, the principal objectives are to (1) promote tolerance and respect among a diverse workforce and (2) to identify business objectives as they relate to the Company's diverse customers. At the grassroots level, these objectives were addressed by self-organized groups (within a specific structure and procedure). These groups, called Employee Resource Groups (ERG), represented groups of employees with "unique racial, ethnic, cultural or lifestyle differences." For purposes of illustration, some of the groups at Tulsa were: (1) the African-American ERG, (2) the Asian Cultural Association, (3) the Christian ERG, (4) Employees with Disabilities ERG, (5) Gay, Lesbian, Bisexual, Transgender ERG, (6) Indian ERG and (7) Jewish ERG.

Any employee could join any ERG or form an ERG. There was a set of

guidelines for groups. For example, each group was required to support company policies on a harassment-free workplace and non-discrimination. Another rule was that the ERGs were to have no relationship (financial or organizational) with outside groups.

In addition to promoting tolerance and respect among the diverse groups, the Employer hoped these groups would provide ideas on how to develop and promote business relationships with diverse groups in the marketplace. For example, an ERG of employees with disabilities might make suggestions to the Company on how disabled customers could be better served by the airline.

One of the opportunities the Company provided to ERGs to promote diversity was to hold "Diversity Fairs". ERGs were encouraged to get a booth at the fair and to do some project that would provide information about their particular group with the object of promoting understanding. The Diversity Fair in question was March 11, 1999.

One of the diversity groups with a booth at this fair was the Caucasian Employee Resource Group (CERG) of which Grievant was a member. Grievant was not present that day but he did write the pamphlet handed out at the fair. The Company found the flyer objectionable and ultimately it formed part of the basis for the Grievant's discharge.

The history of the pamphlet is relevant. There is no dispute that Grievant suggested in a meeting of the CERG that the group do a flyer on "Caucasians in Aviation" for the diversity fair. There is no dispute he volunteered to write it.

There is no dispute he wrote the flyer with no assistance from other group members.

The exact nature of the conversation amongst the group during which the Grievant volunteered to write the flyer is disputed. A management employee (K. Kelly) testified he attended the CERG meeting. According to his testimony, when the Grievant raised the idea of doing a flyer on "Caucasians in Aviation", Grievant also said his brother could help him, that his brother had research skills at the library and on the Internet, that his brother could make the flyer "mild to wild" and that he would ask his brother to keep it "mild". Two employee witnesses (G. Nichols, and L. Dill) sharply deny the Grievant said any of these things and in fact claim he had left the CERG meeting by the time the remainder of the group became engaged in a conversation with the management employee.

The Grievant's brother (Dennis Mahon-an identical twin to Grievant) is well known in the Tulsa area and has seen some national and international attention in connection with his white supremacy and neo-nazi beliefs and activities. He ran for Mayor of Tulsa. He was the founder of the Oklahoma White Knights of the

Ku Klux Klan. He is the Oklahoma leader of the White Aryan Resistance (WAR).

He operates a "Dial-a-Racist Hotline". He was quoted in a Tulsa newspaper

editorial as saying the Oklahoma City bombing of the Federal Building in which

160 people died was "a fine thing".

When the flyer was handed out at the Diversity Fair, it caught the attention

of several management employees. The flyer raised several concerns. To

summarize, in the Board's words, there were concerns that the flyer had white

supremacist/neo-nazi overtones. This related among other things to the use of the

term "White Race" and "noble Race" and the fact that the terms white and race  
were capitalized.

The two-page flyer is described as follows: the heading of the first sheet

printed on 8 1/2 x 11 plain paper read "American Airlines Caucasian Employees

Resource Group Salute the Following Aviation Pioneers". Pictures of the

following people along with a graphic of a plane appeared on the first page with

their name and a brief description of their aviation accomplishment: Wilbur

Wright; Bleriot, James Doolittle, Francisco Brack-Papa, Werner Von Braun, Hugo

Junkers, Amelia Earhart and Helene Dutrieu. The top two-thirds of the second

page contained four pictures of people (Edward Rickenbacker, Chuck Yeager,

Charles Lindbergh and a fourth person whose name did not print clearly) and five

pictures of airplanes. Below these pictures was the following verbiage:

"These famous men and women who made aviation history all have one thing in common. They are all members of the White Race. A race of EXPLORERS, discoverers, scientists, and philosophers. We are proud of the accomplishments of our noble Race in the past, present, and future."

The Company decided to suspend the privileges of the CERG for six months. A meeting was held in Tulsa on April 20, 1999, to explain to the CERG the Company's decision to suspend the group. The meeting was conducted by Robert Hosey, Manager of Diversity Programs, and was attended by, among others, the Vice President in charge of the Tulsa base. Information concerning the meeting was posted by the officers of the CERG well in advance (perhaps as much as two weeks earlier). There is testimony in the record from two officers of the CERG that they had separate conversations with the Grievant in advance of the meeting asking that he not attend.

The Grievant did attend the April 20 meeting. The decision to suspend the group was explained. The base Vice President explained the Company did not condone the flyer and would not condone or tolerate white supremacist activity on the base. At one point, the Grievant acknowledged being the author of the flyer. The Grievant questioned what was wrong with the flyer and didn't understand why anybody would take issue with its language.

Robert Hosey noticed at the April 20 meeting that Grievant was wearing a T-shirt that showed the cover to a book titled "The Turner Diaries" by Andrew MacDonald. This concerned Hosey. He explained at the hearing that he was familiar with the book. In his view, it was a "manifesto" on violence, racism and white supremacy. It also needs to be noted that this is the book that Timothy McVeigh read prior to the Oklahoma City bombing and that was found in his car at the time of his arrest. Hosey, an African-American was concerned that Grievant was sending a message by wearing the shirt. After the meeting, Hosey shared his concerns with the Vice President and officers of the CERG.

Subsequently, the Company conducted an investigation into the flyer and the Grievant's wearing of the T-shirt. This included two interviews with Grievant (April 26 and May 10, 1999) and one written interrogatory under the umbrella of Section 29-F of the contract. The interrogatory was presented to Grievant on April 26, 1999. It consisted of 15 written questions to which the Grievant answered in his own handwriting. Of the fifteen questions and answers, some are ultimately irrelevant to the discharge. The other questions vary in relevance. For example, Grievant acknowledged discussing at the CERG the subject of his brother's termination. It is not clear whether this discussion pertained to his brother's discharge at TWA (that related in part to an appearance he made with

other white supremacists on the Oprah Winfrey Show) or his brother's more recent termination from American during his probationary period. He also stated in one of his written answers that he believed his brother was discharged because of his political beliefs.

There were also questions on the interrogatory about the "Turner Diaries". To summarize, Grievant only had a passing familiarity (having read only the first chapter). It seemed to him to be "controversial in nature". The T-shirt was purchased at a gun show along with several other shirts. He received a discount for buying five T-shirts at the same time and this was merely one of the shirts he picked up in order to get the discount. The last five questions and answers are particularly relevant:

"11. Why did you wear the "Turner Diaries" T-shirt on that particular day?

A-No particular reason, only clean shirt I had that day.

12. Are you a member of a white supremacist organization?

A-No

13. Do you have ties to a white supremacist organization?

A-Have a brother who has ties to a white separatist group.

14. What personal philosophies regarding white supremacism do you discuss at work?

A-Don't discuss supremacist topics at work, only current events, and plane talk.

15. Are you known in the community as being associated with white supremacists or

white supremacists groups?

A-Don't really know."

The interviews were more detailed. To Grievant the T-shirt stood for "anti-government" or "anti-establishment". (It is noted that on the back of the T-shirt was an anti-gun control message). When asked whether there was some relationship between his attendance at the April 20 meeting and his wearing of the T-shirt, he had "no idea". When asked when he learned of the April 20 meeting and if anyone told him about the meeting, the Grievant (according to non-verbatim notes taken by a Human Resources representative) said he learned of the meeting that morning from a flyer and did not discuss the meeting with anybody. He also said that he didn't believe in white supremacist organizations at all. There was no particular reason that the words race and white were capitalized in the flyer he created. He suggested it was a typographical error.

The May 10, 1999 interview concluded with the Grievant being given his final advisory. It read as follows:

"On Tuesday, April 20, 1999, you attended a meeting of the Caucasian Employee Resource Group. The purpose of the meeting, which senior Maintenance and Engineering management also attended, was to discuss the role of American Airlines' employee resource groups in supporting diversity in our workplace and to discuss the recent 6-month suspension of the Caucasian Employee Resource Group. American suspended the Group after it handed out a flyer that advocated white supremacy at the Diversity Info Fair, a company event. The Group's conduct violated a basic tenet of the AMR Diversity Advisory Council. This tenet is that no group can form and be recognized as an Employee Resource Group that is in opposition to another group. You

admitted during the April 20 meeting that you wrote the flyer and supplied it to the group for distribution.

At the meeting, and at work on the day of the meeting, you wore a T-shirt with the words "The Turner Diaries" printed on it. "The Turner Diaries" is a book written by a leader of one of the largest and most organized neo-Nazi groups in the country. It is widely regarded as a white supremacist and anti-Semitic terrorist manual. "The Turner Diaries" describes the systematic killing of "Jews", "non-whites", and "race traitors" in order to establish an "Aryan" world. The book is also infamous as having been found in the car of Timothy McVeigh at the time of his arrest for bombing the Murrah Federal Building in Oklahoma City. The cover of the book shows a drawing of two people pointing firearms as if in combat. Your T-shirt also showed a rendition of that cover.

American received a number of complaints from other employees regarding your T-shirt, as well as the flyer that you wrote. In response to your actions and to the complaints received, American conducted an investigation. The 29(l) investigation was initiated on Monday, April 26, 1999. The investigation covered the complaints received, as well as your actions with white supremacist organizations and their members.

As a result of this investigation, American has concluded that:

By writing the flyer and supplying it for distribution at the Diversity Info Fair and by wearing your "The Turner Diaries" T-shirt to work and to the April 20 meeting, you harassed and intimidated other employees in a manner that tended to create a racially hostile work environment.

Your actions have adversely impacted the perception and reputation of American Airlines within our employee groups and in the community at large.

Your actions as described above are a direct violation of American Airlines' Policy on Unlawful Harassment, which prohibits conduct that is harassing and that "creates an intimidating, hostile, or offensive work environment."

Your actions are also a direct violation of the following American Airlines' Policies and Procedures:

- Rule 32 - "The harassing, intimidating, interfering with, or violent behavior toward another employee while either on or off duty is prohibited."
- Rule 24 - "Consider the welfare of the Company and your fellow employees. Perform no act that is detrimental to either."
- Rule 22 - "See that your conduct reflects credit upon AA. This includes

paying your just debts, thereby avoiding complaint from creditors or garnishment proceedings."

As an employer of a widely diverse workforce, as an employer in an industry that must guarantee the highest standard of safety to the flying public, as an employer in the Tulsa, Oklahoma Community, American Airlines cannot and will not tolerate conduct of this type.

You are hereby discharged from your employment with American Airlines, effective this date. All Company property, including but not limited to, AA identification cards, badges of any kind, and keys assigned to you, are to be returned to me and are not to be used for any purpose after the date of this letter. Any pay due to you will be paid upon surrender of all Company property. Please contact me about any questions regarding benefits, Credit Union membership, etc., which you may have."

A grievance was subsequently filed protesting the Company's decision. The matter could not be resolved and was ultimately appealed to the Area Board. A hearing was conducted in Tulsa, Oklahoma on November 2, 3 and 4, 1999. The transcript was received December 10, 1999. The board discussed the case in executive session in Dallas, Texas on January 20, 2000 and March 8, 2000 in Tulsa, Oklahoma.

### **III. OPINION AND DISCUSSION**

Most discipline cases present two fundamental questions. The first is whether, and if so to what extent, did the Grievant commit misconduct. The second question is dependent on the first: If there was misconduct, is the designated disciplinary penalty appropriate? The answer to these questions define in any particular set of facts and circumstances whether just cause exists. These

questions will be addressed in order.

#### A. The Question of Misconduct

Before addressing the first of these two questions (whether misconduct occurred) it is appropriate to state what conduct the Grievant cannot be disciplined for. He cannot be discharged for being Dennis Mahon's brother. He cannot be disciplined for how he thinks. He cannot be disciplined merely for holding unpopular political views or those that are contrary to the mainstream. The Grievant can only be disciplined for his conduct and behavior as it affects the Employer's legitimate business interest.

The Grievant's conduct is basically undisputed. He wrote the flyer knowing it would be distributed to employees. He wore the T-shirt to a meeting with high level management. The record offers two alternative explanations for his conduct.

The Company's view is (1) that the flyer was purposefully written and reflects neo-nazi/white supremacist ideology and (2) that the T-shirt was intentionally worn to send an intimidating and threatening message to management. Since the Grievant chose not to testify at the arbitration hearing, his explanation for his conduct must be gleaned from his statements made during the investigation. It was his position the flyer did not express white supremacist

ideology. He claimed not to be a white supremacist. The capital R in Race (and evidently the W in White) were probably typographical errors. He only wore the "Turner Diaries" T-shirt because it was his only clean shirt that day and that he only found out about the meeting that morning at work. In short, the Union suggested in essence that the nature of the flyer and wearing of the T-shirt were coincidental and had no ill intent.

The Board's job is to decide which of these two alternative views of Grievant's actions is correct. More precisely, the critical question is--whether there is more evidence supporting the Company's view than the Union's view that Grievant's conduct was innocent. It is the conclusion of the Board that there is much more evidence supporting the Company's view than suggestions to the contrary.

A review of the record demonstrates the preponderance of the evidence, to a convincing degree, supports the view the flyer was a product of neo-nazi/white supremacist ideology and that the wearing of the T-shirt was purposeful and was intended to be a statement. The Grievant's explanation simply didn't deserve as much weight and was not as credible as other evidence. A review and comparison of the evidence presented by the Company with that presented by the Union shows

this to be true.<sup>1</sup> The evidence discussed below relates to the nature of his conduct not the separate question of penalty.

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<sup>1</sup>The Union objected to certain evidence (such as examples of white supremacist literature written by Dennis Mahon that were introduced through an expert witness) because it was not in possession of the Employer at the time of the discharge decision. The Board overruled the objection noting that both parties are free to collect and present evidence, even if it was not known at the time of the discharge, that support their respective positions so long as the evidence is not presented to establish a new or additional basis for discharge. This is particularly true if the evidence reflects on credibility. Arbitrators generally admit new proof of the old conduct (that is known at the time of the discharge letter) but not new evidence of new conduct unknown at the time of discharge as an additional basis for discharge. Some arbitrators even make exceptions to this rule. For a general discussion see Chapter 5 on "Evidence in Arbitration" in Labor and Employment Arbitration 2<sup>nd</sup> Edition Bornstein, Gosline and Greenbaum, General Editors (Matthew Bender Publisher, Chapter by Steven Wolf). The Employer's evidence objected to by the Union was accepted for credibility purposes. This evidence was relevant and admissible not as a new basis for discipline but because it reflected on the credibility of Grievant's defense in the 29-F hearings.

### The Company's Evidence

The significant evidence on the issue of misconduct submitted by the Company includes and is summarized below.

(1) Submitted by the Company were various white supremacist publications (KKK) written by Dennis Mahon thanking Daniel Mahon for his work and numerous financial contributions to various white supremacist projects and causes. This included nomination as "White Patriot of the Month". One publication stated:

"Daniel M. of the Tulsa area is white patriot of the month for his tremendous efforts in the financial support of this struggle. Daniel has purchased for this Order a professional duty state of the art VHS camcorder to help us with our cable TV programs and to video tape our gatherings. Daniel also built the cross, supplied the public address system, portable generator, and large tent for our rally in Oklahoma on Sept. 23. Dan also has a large collection of Klan and National Socialist white power merchandise. Dan has also supplied many white resistance groups with "T" shirts. Dan is one of those unsung heros who for the last 8 years has given sacrificially in money, sweat, and blood, who never asks for glory or power. Every organization needs more men like Daniel. These people are the back bone of the movement. Thank you Dan."

(2) There was testimony from two Union witnesses that Grievant knew about the April 20 meeting well in advance and was counseled not to come. This contradicts Grievant's statement in the 29-F hearing that he only found out about the meeting that day and had not discussed the meeting with anyone. It also significantly undermines his claim that the wearing of the "Turner Diaries" T-shirt was coincidental. Clearly he was sending a message.

(3) The "Turner Diaries" is rank with tales of murder and terrorism based on ethnic and racial matters reaped upon minorities. It also contains a virtual bomb making recipe used to create the source of "immense" damage reaped upon a government building. While technically fictitious, it is all too real to the some 160 victims (and their families) of Timothy McVeigh. Such references have a special significance in Oklahoma which cannot immediately be appreciated by others from other areas of the country.

(4) The Grievant's flyer was nearly identical in essential style and substance to a flyer distributed by the White Knights of the Ku Klux Klan controlled at the time by Dennis Mahon. The words "White" and "Race" were capitalized throughout. It had pictures of an old airplane and a rocket and extolled the virtues of named historical figures (all Caucasian) as members of a mighty race described as "explorers, philosophers and cultivators". The Company presented expert testimony by a researcher who had followed and collected vast amounts of information on neo-nazi and white supremacist groups. He has been an expert witness in many court proceedings through the United States and Canada. It was his opinion that the kind of conjunctive use of capitalization of "White" and "Race" is only found in the popular literature of white supremacists and neo-nazi groups. The concept of a noble race and superior race is at the heart of nazism. It

was his opinion the capitalization was no typographical error and the theme was clearly white superiority. The expert also produced a Tulsa newspaper article about Dennis Mahon's neo-nazi activities in Canada and Germany. The article quoted Grievant and indicated he supported his brother's views.

(5) There was testimony by two supervisors that on two separate occasions in the past the Grievant had been warned about bringing KKK/White Aryan symbols into the workplace. One incident involved the wearing of a KKK hat and KKK belt buckle. Another incident involved employee complaints about using a KKK knife in the workplace. The knife is an accepted tool in the shop but the symbols on it were the problem. Although Grievant denied it was his knife, he was told hate symbols at work would not be tolerated.

(6) There was testimony by a now supervisor who spoke about his first day on the job as a mechanic in the bargaining unit in 1986. The Grievant talked about the government and social problems with "jews and niggers." He was invited to Grievant's house where a similar conversation occurred. On another occasion Grievant and his brother showed a racially violent movie. Also in the fall of 1988 this same employee was employed in his off-duty hours as a reserve police officer. He worked as security at a gun show. He had a conversation there with the Grievant who was working at a booth where Aryan Nation materials and

T-shirts were displayed and sold. In fact, Grievant tried to give a Aryan Nation T-shirt to the witness.

(7) There was post-discharge evidence that Grievant's discharge was discussed in local and national neo-nazi/white supremacists communiqus. This is not a basis for discharge but the fact it drew so much attention undermined Grievant's claims that he had no ties to white supremacist groups. Dennis Mahon was heard publicly stating that if his brother didn't get his job back "We're going to blow the place up." This implied violence was reinforced in other communiqus.

#### The Union's Evidence

(1) On cross examination the discharging manager admitted Grievant was a good mechanic and there had been no problems with his performance.

(2) Three crew chiefs testified that Grievant was an exceptional if not model mechanic. They also testified that he had never talked about the KKK or his political views at work, never was intimidating and in one case was described as the most polite and courteous mechanic he had ever worked with.

(3) A number of other employees echoed the crew chiefs' sentiment. The Grievant was kind to animals and helpful to people. He would "give you the shirt off his back".

(4) Nichols and Dill strongly dispute Kelly's statement about what Grievant supposedly said in the CERG meeting about writing the flyer.

(5) The Grievant denied having ties to white supremacist groups in his 29-F.

It was also not his decision to distribute the flyer.

(6) The word "African-American" is capitalized through other employee resource group literature.

(7) Several employees weren't offended by the wording of the CERG flyer.

#### A Weighing of the Evidence: The True Nature of the Grievant's Conduct

Was the flyer an expression of neo-nazi/white supremacist ideology or was the wording innocent and coincidental? Similarly, was the wearing of the shirt coincidental or was it a message? As noted above, the Board concluded the clear weight of evidence shows that the flyer was an expression of his social and political views and that the T-shirt was a message.

The evidence is convincing that the flyer was an expression of neo-nazi/white supremacist ideology. The wording of the White Knights of the Ku Klux Klan literature and the Grievant's flyer are strikingly similar. They are different to some degree, but nonetheless are spots on the same leopard. There is also the expert's testimony that the flyer was consistent with neo-nazi/white

supremacist verbiage and themes. There was no countervailing evidence or testimony offered.

It is true that much of the Company's evidence showing the Grievant was personally involved in neo-nazi/white supremacist activities and financially supported them is not recent. However, it is very significant that Grievant chose not to testify. He did not come forward to deny or repudiate these actions. He did not come forward and say I did not do these things or say I did them but I am a changed man and no longer act in this manner.

Again the Board stresses Grievant cannot be disciplined because he is involved in unpopular political and social activities. His activities are relevant only to the credibility of his denial that the flyer (which is on duty conduct) wasn't racist and that the T-shirt wasn't a message of intimidation. The credibility of these denials in turn rests indirectly on the credibility of his claim that he was not a white supremacist and did not have ties to white supremacist activities.

The evidence shows the Grievant's defense in the 29-F proceeding was not credible. Clearly he holds white supremacist beliefs and has ties and involvement in such organizations. This reflects highly unfavorably on the underlying intent of the flyer. He cannot be disciplined for being Dennis Mahon's brother but the fact they live together in the same small house, share the same phone number (used in

various White Aryan/KKK communiqus) taken together with Daniel's financial support and personal involvement in these activities also sheds unfavorable light on any question as to the underlying nature of the flyer. There was also evidence that Grievant's involvement with these activities had the hallmark of independence as demonstrated by his manning a White Aryan booth at a gun show. Even without having to resolve the conflict in Kelly's testimony and the testimony of Nichols and Dill as to whether Grievant said he would enlist his brother's help, the evidence is clear as to what tone the wording of the flyer took on.

As for the T-shirt, the most glaring evidence is the lack of credibility of Grievant's claim in the 29-F hearing that he did not have notice of the meeting and had not discussed it with anybody. Clearly he had discussed it and knew when the meeting was. This in turn undermines the notion that the wearing of the "Turner's Diaries" T-shirt was just an accidental function of what was clean or not clean in his closet.

The Grievant wore the shirt on purpose. Given his failure to testify, given all the other evidence about his personal and political beliefs and given the nature of this book, the Board is left to conclude it was purposefully worn for its intimidating and threatening effect.

The Union's character testimony was accepted as sincere and truthful.

However, the fact he was technically proficient and nice to some people doesn't outweigh all the other evidence nor is it directly related to the specific nature of his conduct in this case.

In summary, the wearing of the T-shirt and authoring of the flyer constitute misconduct for which discipline is appropriate.

#### The Penalty

The question now before the Board is whether discharge is an appropriate disciplinary penalty for authoring a flyer for distribution by the CERG with neo-nazi/white supremacist overtones and wearing a T-shirt for its intimidating and threatening effect.

A substantial part of the Union's evidence related to the fact that many employees wear what can be categorized as offensive T-shirts and are never disciplined. Instead, employees are either told to change them or turn them inside out. However, the Board notes many of these T-shirts were sexual in nature or related to internal union matters. T-shirts making a word play on the phrase "Big Johnson" are hardly comparable to T-shirts related to ethnic, racial and political terrorism.

There were T-shirts about black pride and Malcolm-X and in fact, another

employee claims to have worn a "Turner Diaries" T-shirt. Indeed the Company should be concerned about double standards. However, the Malcolm-X shirt is equivocal. As far as the others, ultimately they do not establish a basis for a convincing disparate treatment argument since the facts do not show they were worn in the same context as Grievant. Grievant wore his in the context of discussions about a racially/ethnically questionable document. The wearing of questionable T-shirts by others may have been misguided, but the evidence in this case shows Grievant's conduct was a deliberate expression of deeply held racist social and political beliefs. The evidence does not show the wearing of the other T-shirts was done in conjunction with other misconduct involving the expression of racist ideology.

So the Grievant's conduct is unlike anyone else, does this mean he should be discharged? This is just one of many challenging questions raised by this case. After all, the expressions of some of the other employee resource groups were found to be offensive to some employees. Isn't some tension inevitable as people work through their differences? And isn't there a natural potential for tension when groups are allowed to form along racial, ethnic or sexual lines? To some extent isn't tension and friction part of the process of diversification and diversity education? And, if undesirable employee attitudes are going to change, shouldn't

people in the context of the diversity program be free to speak their minds on the theory it is easier to change stiitudes when they are out in the open and "on the table"? And in the United States generally isn't there "freedom of speech"?

What is protected free speech away from work is not necessarily protected free speech at work. The law requires that employers regulate speech and conduct at work that contributes to a racially or sexually hostile work environment. Such conduct constitutes prohibited discrimination if the employer allows it to exist.

The employer has a duty to eradicate such employee behavior from the workplace.

The employer also has the right to regulate political and social speech when that speech interferes with the operation of the business. For example, if the discussion of political or social issues creates distractions and tensions between employees where it significantly affects productivity, the employer would be allowed to address it in a reasonable manner. The employer can also expect its workers to treat each other with civility, respect and dignity.

The Grievant can carry around in his head whatever thoughts about race and ethnicity he wants to at work. He could stand on the street corner away from work and scream at the top of his lungs about his related views on race, religion, ethnicity, government oppression, gun control and armed revolution. However, he can't do the same at work.

The Union also claimed there was no notice that his conduct was prohibited and subject to discharge. This is not accurate. In general, the policy against harassment and discrimination is known to be a "zero tolerance" policy. More specifically, the Grievant had been put on notice in the context of displaying symbols of racial hatred by two different supervisors that such symbols and expression of political views would not be tolerated. It cannot be said that he did not know that such expressions might result in discharge.

Not only did management put Grievant on notice that controversial political and social views at work would not be tolerated, not only was he told that symbols would not be tolerated, he was warned by friends not to come to the April 20 meeting. Evidently, he was also warned by someone within the "movement" not to wear the "Turner Diaries" shirt to the meeting. It doesn't bode well for him that his first error in judgment (writing a racially inappropriate flyer) was compounded by going to the meeting and wearing the shirt. These multiple errors in judgment strongly suggest that if reinstated, he could not or would not control himself or keep his racial and ethnic hatred from oozing once again from its ugly depths.

It is true that Grievant's writing could be taken two ways. It is true the wearing of the T-shirt could be taken two ways. However, the Employer has provided much evidence to which the Grievant failed to respond. Given this, it

was reasonable for them to interpret his actions in the worst possible light. His message was subtle but, in clearly resonant tones, rang true only to the sad song of racial superiority. Clever equivocation and veiled threats are part and parcel of the Grievant's ilk and he can't hide behind this cleverness at the expense of the security, dignity and respect of other workers who do not share his race or ethnicity or his attitudes of racial nobility. His expressions went well beyond the normal learning process involved in corporate diversity. His conduct is incompatible with the Employer's right to have a diverse workforce free from racial and ethnic hostility.

Much is debated in this record. However, in the final analysis, something must be said in plain and simple terms. At the root of Grievant's conduct was hate. At the root of his conduct was a philosophy based on hate for blacks, jews and other minorities. This philosophy has no place being expressed in the workplace. This is especially true where the Employer has engaged in so many efforts to establish a work environment free from racial hostility and harassment. Under these circumstances, discharge was appropriate.



# EXHIBIT C

# EXHIBIT C

FOR NATION  
NATIONALISTS

WHITE NATIONALISTS  
POLITICALLY INACTIVE

FOR NATION  
NATIONALISTS

## DIAL-A-RACIST

24 HOUR RECORD MESSAGE

44

WAR

834-4272

O.A.S.P.

ORIGINATOR  
WHITE NATIONALIST  
FOR NATION  
NATIONALISTS

ORIGINATOR  
AVIAN NATIONALIST  
FOR NATION  
NATIONALISTS

ORIGINATOR  
WHITE NATIONALIST  
FOR NATION  
NATIONALISTS

# EXHIBIT D

# EXHIBIT D

## DEPO OF DANIEL W. MAHON, 10-29-03

Page 3

1 IN THE UNITED STATES DISTRICT COURT FOR THE  
 2 NORTHERN DISTRICT OF OKLAHOMA

4 DANIEL W. MAHON,  
 5 Plaintiff,  
 6 vs.  
 7 AMERICAN AIRLINES, INC.,  
 8 A Delaware Corporation,  
 9 Defendant.

10 NO. 00-CV-1008-E

11 **THE VIDEOTAPED DEPOSITION OF**  
 12 **DANIEL W. MAHON**, produced as a witness on behalf  
 13 of the Defendant in the above styled and numbered  
 14 cause, taken on the 29th day of October, 2003, in  
 15 the City of Tulsa, County of Tulsa, State of  
 16 Oklahoma, before me, Lisa A. Steinmeyer, a Certified  
 17 Shorthand Reporter, duly certified under and by  
 18 virtue of the laws of the state of Oklahoma.

19  
 20  
 21  
 22  
 23  
 24  
 25

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1 **A P P E A R A N C E S** Page 2

2  
 3 FOR THE PLAINTIFF: Mr. Robert Frazier  
 4 Attorney at Law  
 4150 South 100th East  
 Ave  
 5 Suite 200-B  
 Tulsa, OK 74146

6  
 7 FOR THE DEFENDANT: Mr. David Cordell  
 8 Attorney at Law  
 15 East 5th Street  
 Suite 3700  
 Tulsa, OK 74103  
 -and-  
 10 Mr. Robert Taylor  
 11 Attorney at Law  
 P.O. Box 619816  
 MD-56765  
 12 Dallas/Fort Worth  
 Airport, TX 75261

13  
 14 ALSO PRESENT: Ms. Pamela Terrazas

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1 **I N D E X**

2	W I T N E S S	P A G E
3	DANIEL W. MAHON	
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Page 4

1 (Whereupon, the deposition began at  
 2 9:15 a.m.)  
 3  
 4 DANIEL W. MAHON,  
 5 having first been duly sworn to testify the truth  
 6 the whole truth and nothing but the truth, testi-  
 7 as follows:

8 **EXAMINATION**  
 9 BY MR. CORDELL:  
 10 Q What is your full legal name, please?  
 11 A Full legal name is Daniel Wallace Mahon.  
 12 Q Is that still your legal name?  
 13 A Yes, it is.  
 14 Q Have you been known by any other names?  
 15 A No other name.  
 16 Q My name is David Cordell. We've met once  
 17 before I believe. I represent American Airlines  
 18 this case where you have sued the company here in  
 19 federal court claiming certain violations of your  
 20 civil rights resulting from the termination of your  
 21 employment at American. Are you represented by  
 22 counsel today?  
 23 A Yes, I am.  
 24 Q The court reporter has administered you an  
 25 oath. Do you understand that you're sworn to tell  
 the truth?

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## DEPO OF DANIEL W. MAHON, 10-29-03

Page 5

1 A Yes.

2 Q Do you understand there are consequences or  
3 possible consequences if you do not tell the truth?

4 A Yes.

5 Q The oath that was given to you asked you to  
6 swear under God that you would tell the truth. Is  
7 that of any significance of you? Some people have  
8 different ideas of God and things like that. So I  
9 need to ask whether you believe that is binding on  
10 you.

11 A Yes, I do, yeah.

12 Q Let me do a little bit of housekeeping here.  
13 This deposition, while certainly very serious and  
14 very formal, is intended to allow me to understand,  
15 whether I agree with it or not, the basis of your  
16 claims against my client. So as you know, I'm going  
17 to ask you several questions today. I'm going to do  
18 my best to ask you straightforward and fair  
19 questions but in any event, at any time you believe  
20 you don't understand one of my questions, feel free  
21 to point that out and tell me. Okay?

22 A Okay.

23 Q Answer out loud. The court reporter can't  
24 take down head shakes, and we'll need to remind one  
25 another if we start talking non-verbally. Okay?

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1 A Not anything that would affect my ability  
2 answer a question, no.

3 Q Are you on any kind of medication, whether  
4 it's over-the-counter or prescription?

5 A Yeah, I'm on some medication, yeah. I'm on  
6 high cholesterol medication and some psoriasis  
7 medications.

8 Q Do you remember the names of them? I never  
9 can.

10 A I'm not a medical person so --

11 Q Are these medications that were prescribed  
12 you by Dr. Karen Baten?

13 A Bader, B-A-D-E-R.

14 Q And she is your physician; is that right?

15 A Right. She's my personal physician.

16 Q How long has she been your personal physician?

17 A Oh, three years.

18 Q Since you left Tulsa and moved to Arizona;  
19 that correct?

20 A My HMO, yes.

21 Q And the problems regarding psoriasis and high  
22 cholesterol, those started when?

23 A About a month after I was terminated.

24 Q Is it your testimony that prior to that time  
25 you never had any health problems whatsoever?

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Page 8

1 A Yes.

2 Q Is it fair to me to presume that if I ask a  
3 question and you answer it without telling me you  
4 didn't understand it, that at least at the time I  
5 asked the question, you believed you understood the  
6 question?

7 A I understand what you mean. In other words,  
8 if you ask a question and if I don't understand what  
9 the question is --

10 Q Yes.

11 A -- I have a right to ask you to repeat the  
12 question?

13 Q Yes.

14 A Yeah.

15 Q But if you go ahead and answer it, it's fair  
16 to me to assume at the time you did understand it?

17 A If I answer it, I definitely will understand  
18 the question if I answer it.

19 Q Are you feeling well today?

20 A Not bad. How are you?

21 Q Other than being nervous, are you feeling  
22 physically okay?

23 A Pretty good, yeah.

24 Q Are you on any kind of medication that would  
25 affect your ability to recall events in the past?

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1 A No health problems at all.

2 Q You're 53; is that right?

3 A That's correct, 53.

4 Q Birthday is August 29th, 1950?

5 A That is correct.

6 Q Where were you born, sir?

7 A I was born in Rockford, R-O-C-K-F-O-R-D,  
8 Rockford, Illinois.

9 Q Are either of your parents still alive?

10 A Both parents are still alive and well.

11 Q Where do they live?

12 A They live in Davis Junction, Illinois.

13 Q How far away from Rockford is that?

14 A Approximately ten miles.

15 Q I understand that after a stint working for  
16 White Beret Enterprises, you moved to Illinois and  
17 went to work for Rockford Aero Taxi?

18 A Rockford Aero Taxi. It's an air cargo  
19 operator.

20 Q Where was that particular business located?

21 A Rockford Airport.

22 Q In Rockford, Illinois?

23 A Yeah, Rockford Airport right there outside  
24 town.

25 Q In essence, you moved back to your home town.

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DEPO OF DANIEL W. MAHON, 10-29-03

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1 for a job after leaving American?  
 2 A Yes. I moved there -- well, not after. I  
 3 worked in the appliance repair business for about  
 4 nine months first.  
 5 Q And when you moved back to Rockford, did you  
 6 move in with your parents?  
 7 A I resided on the property, not in their house,  
 8 no.  
 9 Q Do they have another building on the property  
 10 or something?  
 11 A Yeah, several.  
 12 Q Family farm? I'm trying to get a picture.  
 13 A Yeah, six acres.  
 14 Q Do you know your Social Security number by  
 15 memory?  
 16 A Yes, I do. It's 361-38-6576.  
 17 Q And I understand you're an FAA licensed  
 18 aircraft and power plant mechanic; is that right?  
 19 A Well, I don't actually work as that. I work  
 20 as an avionics, FCC license, but I do have all the  
 21 ratings.  
 22 Q What is your A & P license number, if you  
 23 know?  
 24 A 1943502.  
 25 Q Do you know what your FCC license is?

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1 Tater.  
 2 Q You're identical twins; right?  
 3 A Yes, sir.  
 4 Q I believe your twin brother also is Dennis  
 5 Mahon; is that correct?  
 6 A That's correct.  
 7 Q Do you know what his middle name is?  
 8 A William.  
 9 Q Other than Dennis, do you have any other  
 10 siblings, brothers or sisters?  
 11 A I have two siblings, older sister and a  
 12 younger brother.  
 13 Q Please tell me their names and where they  
 14 live.  
 15 A Gary is my younger brother and he lives in  
 16 Seattle, Washington.  
 17 Q Does he go by Gary Mahon?  
 18 A Yeah, uh-huh.  
 19 Q Am I pronouncing your name correctly?  
 20 A You mean --  
 21 Q Mahon?  
 22 A Yeah, that's correct, exactly.  
 23 Q Seattle, do you know what he does for a  
 24 living?  
 25 A He's in the window washing business.

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1 A I can get it.  
 2 Q Mind checking real quick for me?  
 3 A Okay.  
 4 Q Do you need to borrow these?  
 5 A Yeah. I forgot my reading glasses. It's kind  
 6 of hard. Okay. PG, as in papa golf, dash, GB, as  
 7 golf bravo, dash, 079703. You don't need the  
 8 issuance or anything like that; right?  
 9 Q No, sir. I need my glasses back.  
 10 A I'm sorry. I'm used to wearing mine all the  
 11 time.  
 12 Q As we know, this is a case about you and not  
 13 about your brother, Dennis. Certainly because of  
 14 the history of this matter, there will be questions  
 15 that have to do either directly or indirectly with  
 16 him. At this point my question is, are you and your  
 17 brother, Dennis', Social Security numbers different  
 18 by only one digit?  
 19 A One digit, right.  
 20 Q Do you happen to know whose number is higher  
 21 or lower?  
 22 A His number is one digit higher.  
 23 Q So you're the older brother? What's the birth  
 24 sequence?  
 25 A He was born first. I was born five minutes

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1 Q And your older sister, what is her name and  
 2 where does she live?  
 3 A Her name is Margie and she lives in Milwaukee  
 4 Wisconsin.  
 5 Q Is she married?  
 6 A No. She's single.  
 7 Q Does she still use the last name Mahon?  
 8 A That's correct.  
 9 Q I understand at one point in time -- I'm  
 10 sorry, I asked about your parents. I didn't get  
 11 their names. What are their names?  
 12 A Barbara and William Mahon.  
 13 Q I understand at one point in time you were  
 14 married to a woman named Myrna?  
 15 A Right.  
 16 Q What was her full name or is her full name?  
 17 A Right now it's -- she's twice married again  
 18 so her last name is Faracion, and I don't know how  
 19 to spell that, just Myrna. F-A-R-A-C-I-O-N, that  
 20 as close as I can get it.  
 21 Q When she married you, was that her first  
 22 marriage?  
 23 A Yeah, first marriage.  
 24 Q You say she's been twice married, so she's  
 25 her third marriage?

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## DEPO OF DANIEL W. MAHON, 10-29-03

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1 A Yeah, third marriage.  
 2 Q Of your marriage, there was one child born;  
 3 Willie or William; is that right?  
 4 A William R., yeah.  
 5 Q What does the R stand for?  
 6 A Ricardo.  
 7 Q Now, some people use the term married in  
 8 different contexts. When you were married to Myrna,  
 9 were you legally married?  
 10 A Yeah. We had a license, yeah.  
 11 Q License, wedding the whole deal?  
 12 A We went to a church wedding, yeah.  
 13 Q When were you married, and I understand you  
 14 were divorced. When were you divorced?  
 15 A You want to know when I was married first?  
 16 Q Sure.  
 17 A Okay. We were married in Coupeville,  
 18 Washington in 1979 in October.  
 19 Q Were you still in the Service at the time?  
 20 A U. S. Navy, right.  
 21 Q And when were you divorced?  
 22 A 1984. It was in the fall. I forget exactly  
 23 when.  
 24 Q Were you living in Tulsa at the time of your  
 25 divorce?

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1 employment with American Airlines, a copy of which  
 2 was also in the papers that you produced yesterday.  
 3 Sir, will you identify that as being the case; if  
 4 that your complete employment application to  
 5 American Airlines as far as you can tell?  
 6 A As far as I can tell, it looks like it is.  
 7 Q Sir, at the time you applied for American, it  
 8 is customary, there's a provision, a portion on page  
 9 3 of this application that outlines your employment  
 10 history. Do you see that?  
 11 A Uh-huh.  
 12 Q This is a shortcut so you don't have to tell  
 13 me from memory everything that you did after leaving  
 14 Eastern. Reviewing that now, do you recall or can  
 15 you tell me that the employment history that you  
 16 gave American at the time you went -- applied to  
 17 work there is accurate?  
 18 A Accurate as far as I can see.  
 19 Q Are any jobs missing?  
 20 A No jobs missing.  
 21 Q Now, I note on the one that pertains to  
 22 Eastern Airlines that your reason given for leaving  
 23 there was for, quote, various reasons, closed quote.  
 24 A Uh-huh.  
 25 Q Were there any reasons besides the spectre of

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1 A No. We were living in Florida, Hollywood,  
 2 Florida.  
 3 Q And you hadn't gone to work for American  
 4 Airlines by then?  
 5 A I was still with Eastern. Eastern Airlines  
 6 when it was still in business.  
 7 Q How old is your son now?  
 8 A He's 23.  
 9 Q We'll review a little bit of your employment  
 10 background leading up to going to work for American.  
 11 At the time you were working for Eastern down in  
 12 Florida, what was the reason that you left that  
 13 employment?  
 14 A They were going belly up. They were in an  
 15 extremely bad way financially, and I wanted to leave  
 16 before they quit, before they went under, which they  
 17 did.  
 18 Q Did you go to work directly for American  
 19 Airlines at that point?  
 20 A No. I went to an operator in Michigan called  
 21 Activaero. I worked up there for -- before I went  
 22 with American.  
 23 Q I'm going to hand you what's been marked as  
 24 Defendant's Exhibit 5. This exhibit, while we're  
 25 marking it, I believe is an application for

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1 the company could fire you at any time for any  
 2 reason, good or bad?  
 3 A During the probationary period of six months,  
 4 right.  
 5 Q After the probationary period, except for  
 6 limitations caused by the union contract, i.e., that  
 7 there had to be just cause to fire you, but for that  
 8 restriction, did you understand you were an at-will  
 9 employee of American Airlines?  
 10 A Yes, yes, I did.  
 11 Q Other than the union contract, do you believe  
 12 that you had any contract of employment with  
 13 American Airlines?  
 14 A Excuse me. I'm sorry, I didn't --  
 15 Q Other than the union contract, did you believe  
 16 you had any other contract of employment with  
 17 American Airlines?  
 18 A Any other contract?  
 19 Q Yes, sir.  
 20 A In other words, another job that conflicted  
 21 with American?  
 22 Q No. Let me clear it up. Was there any signed  
 23 contract between you and American Airlines?  
 24 A No, there wasn't.  
 25 Q Were there any agreements between you and  
 TULSA FREELANCE REPORTERS

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1 Q And did she move away from Tulsa about that  
 2 time?  
 3 A Right. She remarried a gentleman that had  
 4 lot of family in the southwest and she moved to  
 5 Phoenix.  
 6 Q Do you have any family in Arizona other than  
 7 perhaps your brother?  
 8 A Just my son and the ex-wife lives there and  
 9 brother. That's it.  
 10 Q Do you live -- I'm not that familiar with  
 11 Arizona. Do you live close by where your ex-wife  
 12 and your son live?  
 13 A Yeah, within a fifteen-minute drive, yeah.  
 14 Q Do you have any grandchildren?  
 15 A One.  
 16 Q What is that grandchild's name?  
 17 A Clayton.  
 18 Q Is your son, Willie, still married?  
 19 A No. It was out of wedlock type of situation.  
 20 Q And what is Clayton's last name?  
 21 A It's his girlfriend's. I forgot her last name  
 22 now. I just can't remember.  
 23 Q Does Clayton live in Arizona?  
 24 A Yeah. He lives with my son. They share  
 25 custody. He stays at each place.

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1 American Airlines regarding continued employment  
 2 other than the contract that the company had with  
 3 the union?  
 4 A There was no other contract.  
 5 Q Since your divorce from Myrna in roughly 1984,  
 6 have you been married?  
 7 A Not remarried, no.  
 8 Q Did you ever get back with Myrna?  
 9 A Yeah, we did get back.  
 10 Q When did you two get back together?  
 11 A She lost her job in Florida and I told her of  
 12 some job openings in Tulsa, and I would have my son  
 13 close by to help him grow up, and she came back. I  
 14 got her a house in late '89.  
 15 Q Purchased a house for her?  
 16 A Helped, yeah, helped her purchase a house.  
 17 Q But I take it, you all never remarried?  
 18 A No, we didn't.  
 19 Q Did you live together as husband and wife  
 20 under common law?  
 21 A Yeah, for a certain time.  
 22 Q I take it you've split up again; right?  
 23 A Right. It didn't work out.  
 24 Q When did you all split up again?  
 25 A Oh, about 1990.

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1 Q I realize that your son is now an adult, but  
 2 at the time of your divorce from Myrna, who received  
 3 custody of Willie?  
 4 A She did, although he spent a lot of time with  
 5 me.  
 6 Q If I were looking for your divorce papers,  
 7 should I look in Florida for them?  
 8 A Yeah. That's where it was filed.  
 9 Q Other than your divorce, have you ever been  
 10 involved in any other kind of litigation besides  
 11 this case?  
 12 A No other litigation at all, nothing.  
 13 Q Never been sued by a creditor, for example?  
 14 A Never been sued for any reason.  
 15 Q Never evicted from an apartment?  
 16 A Never evicted from any place of residence.  
 17 Q Other than documents that we're going to look  
 18 at later today, do you recall ever giving a sworn  
 19 statement, and let me give some examples. Sometimes  
 20 -- obviously when you applied for employment at  
 21 American, you made a sworn statement. Often times  
 22 when people between jobs apply for unemployment  
 23 insurance, they fill out affidavits and things of  
 24 that nature. Have you ever given any other kind  
 25 sworn statements ever in your life?

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## DEPO OF DANIEL W. MAHON, 10-29-03

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1 A Not that I know of.  
 2 Q I understand that before you left Tulsa after  
 3 your termination from American, that you lived with  
 4 a neighbor for awhile. Back up one place behind  
 5 that. In terms of where your home was in Tulsa,  
 6 where was it located?  
 7 A Okay. Talking about just before I left or  
 8 after I got fired?  
 9 Q At the time you got fired, where were you  
 10 living?  
 11 A I was 1448 North College.  
 12 Q How long had you lived at that address?  
 13 A 1990. That was the house I bought for the  
 14 ex-wife, and I just took over payments, quit claim.  
 15 Q And is that the location where from time to  
 16 time your brother, Dennis, would live with you?  
 17 A Yeah. He rented a room.  
 18 Q Was the house on North College in your name  
 19 and only your name?  
 20 A Yes, it was in my name. I finally sold it.  
 21 Q Did you have a phone number at that house?  
 22 A Yes, I did.  
 23 Q Do you recall the number?  
 24 A My phone number was 834 --  
 25 Q 1042?

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1 Q I take it you don't think he helped very mu  
 2 A I didn't hear him talk very much. Let's pu  
 3 it that way.  
 4 Q Whether you agree with the decision or not,  
 5 assuming -- and I assume you don't, but whether  
 6 agree with it or not, you understand that your  
 7 grievance and arbitration was heard and went aga  
 8 you, i.e., it was determined that the company ha  
 9 just cause under its rules to terminate your  
 10 employment?  
 11 A Right. I read that decision, yeah.  
 12 Q How long did that hearing go on?  
 13 A That hearing was a record-setting three-day  
 14 hearing. The arbitration hearing was three days  
 15 Q I'm going to hand you what's been marked as  
 16 Defendant's Exhibit 9. While she is doing that,  
 17 you attend all the arbitration?  
 18 A Yes, I did, all four or three days.  
 19 Q Were you present when all witnesses were  
 20 testifying?  
 21 A Yes, I was.  
 22 Q Would you please identify Defendant's Exhib  
 23 9 as a copy of the decision of the three member  
 24 board adjustment upholding American's terminatio  
 25 your employment?

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1 A Yeah, 1042.  
 2 Q All right. As it respects your employment at  
 3 American, when you were fired, you exercised your  
 4 rights under the collective bargaining agreement and  
 5 filed a grievance?  
 6 A Right, I did.  
 7 Q And at the arbitration that was finally held  
 8 in this matter, you were represented by your union;  
 9 correct?  
 10 A Correct. I was represented by TWU.  
 11 Q And at that hearing the union also had a  
 12 lawyer present; is that right?  
 13 A They had a lawyer present, Frasier, Frasier  
 14 Law Firm, Steve --  
 15 Q Steve Hickman; right?  
 16 A Steve Hickman.  
 17 Q Was Steve Hickman your lawyer at that matter  
 18 or a combination of your lawyer and the union's  
 19 lawyer; what was he there?  
 20 A As far as my understanding goes, he was  
 21 strictly the union's contracted lawyer.  
 22 Q But there to help with the arbitration; is  
 23 that right?  
 24 A He was there supposed to be helping with the  
 25 arbitration.

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1 Defendant's Exhibit 1. At some point in time you  
 2 were notified in writing that your employment had  
 3 been terminated; is that correct?

4 A That's correct.

5 Q Did you receive that notification by virtue of  
 6 Defendant's Exhibit 1, the May 10, 1999 final  
 7 advisory?

8 A Final advisory, yeah.

9 Q You did receive this?

10 A I did receive this copy, yeah.

11 Q Once you received the copy, did you read it?

12 A Yes, I read that.

13 Q Did you read it closely for accuracy?

14 A Oh, I went through it. I didn't put a  
 15 magnifying glass on it but I did go through it.

16 Q Skipping any conclusions that are reached in  
 17 this and focusing on the facts only, is it true that  
 18 on April 20, 1999 you attended a meeting of what was  
 19 then known as the Caucasian employee resource group?

20 A Yes. I was notified by a crew member that a  
 21 flyer was on the bulletin board. At the time I  
 22 received permission to go to the meeting. So I did  
 23 go that meeting, a little late but --

24 Q Did you understand going into that, and we'll  
 25 discuss this in more detail. Right now I'm looking

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1 So I asked him to explain in particular what was  
 2 wrong with the literature, and then that's how the  
 3 discussion proceeded after that.

4 Q At that time, though, did you admit you wrote  
 5 the pamphlet?

6 A It was -- absolutely. I was directed by the  
 7 head of the group on four different occasions that  
 8 they would like to have some literature made up.

9 Q The head of the group is Linda Dill?

10 A Linda Dill and Mr. -- oh, wow.

11 Q Craig Nichols?

12 A Craig Nichols, right.

13 Q Once again, what I'm doing is tracking the  
 14 language of the advisory here as an overview and  
 15 we'll give you the chance to give us details of  
 16 opinions on it later, okay, but as reflected in  
 17 final advisory, on April 20, 1999 at that meeting  
 18 did you wear a T-shirt with the words and a picture  
 19 on the front saying The Turner Diaries?

20 A Yes, I did.

21 Q And the front side of the shirt had a  
 22 depiction of the cover of the book; is that right?

23 A It was, right.

24 Q Now, you have a copy of that book; is that  
 25 right? I'm handing to you and I'd like for you

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1 look at it and hold it up for the camera. It  
 2 appears to be a copy of a book called The Turner  
 3 Diaries that was produced to us from your files  
 4 yesterday afternoon.

5 A Yes.

6 Q Is that your book?

7 A That's not my book but it's a copy of the  
 8 book.

9 Q Did you have a copy of the book?

10 A For a little while.

11 Q What happened to your copy?

12 A It was borrowed. I read the first chapter  
 13 it was the last I saw of it.

14 Q Who borrowed it?

15 A I'm not sure. I think a neighbor.

16 Q Who do you think it was?

17 A Dennis said he let someone else see it or  
 18 mailed it off to somebody and that was it. It was  
 19 very busy household there. I was involved in a  
 20 of repair work on people's TV's and a car outside  
 21 an overhaul; my engine was torn down on my own  
 22 I didn't have a chance to get past the first  
 23 chapter. Plus a lot of overtime, so it was a very  
 24 busy time.

25 Q How did you originally obtain a copy of The

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1 Turner Diaries?

2 A Gun show, one of the big gun shows here in  
3 Tulsa.

4 Q The Wanamaker Gun Show?

5 A I'm not really sure if it was the Wanamaker or  
6 the other one. It was about a month or two before  
7 the problem we had, talking about at the time I  
8 bought the T-shirt and the book, and the T-shirt was  
9 on sale, so it was a package deal on it, so --

10 Q Since we're talking about that, I've lived in  
11 Tulsa for awhile and have also gone to the gun  
12 shows. If I represent to you that in the first  
13 quarter of 1999, prior to the time of your  
14 termination, there was a gun show held in Tulsa  
15 sponsored by a company or the people named Wanamaker  
16 during the weekend of April 10 through 11, assuming  
17 for the time being that my information is correct,  
18 which I believe it to be, is that the gun show that  
19 you attended where you bought a copy of The Turner  
20 Diaries and a Turner Diaries T-shirt?

21 A That probably would have been the one.

22 Q Returning to the final advisory, turning to  
23 the allegations covered in that, The Turner Diaries  
24 T-shirt that you bought, as you just testified, did  
25 you wear it to the management meeting?

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1 A I thought it was anti-government, pro-gun  
2 book, a novel.

3 Q Did you understand that part of the infamy  
4 it was that Timothy McVeigh had a copy of it or  
5 portion of it in his car when he was arrested?

6 A That was part of the reason it piqued an  
7 interest.

8 Q Did you understand at the time you bought the  
9 book that it was believed that Timothy McVeigh  
10 followed the scenario in the book in terms of making  
11 a fertilizer bomb, parking it in a rent truck in  
12 front of a federal government building and  
13 detonating it?

14 A All I understood about the McVeigh situation  
15 at the trial news reports was that his motivation  
16 behind what he did was what he witnessed first-hand  
17 at Waco, Texas and also the massacre up in Idaho  
18 with the Weaver family. That was the biggest  
19 motivation he had for his retaliatory act. As far  
20 as I know, The Turner Diaries, the guy I bought  
21 from said over 300,000 copies were sold in the  
22 several years. So McVeigh may have had it and never  
23 even read it. Who knows?

24 Q Before you bought the book, did you understand  
25 that a least a portion of it deals with the

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1 A What management meeting are we discussing now?

2 Q The Caucasian employee resource group, at  
3 which members of management were present.

4 A Well, management was present at all meetings.  
5 This was an open meeting on a flyer. It described  
6 an open meeting to all members and guests. So it  
7 was not exactly a membership meeting because they  
8 were always represented at those meetings.

9 Q Did you understand that members of management  
10 were likely to be at that meeting?

11 A Well, there's always some at every meeting, so  
12 I didn't know if there would be or not.

13 Q Now, prior to your purchasing of The Turner  
14 Diaries book at the April 10 or 11 Wanamaker Gun  
15 Show in 1999, had you previously read The Turner  
16 Diaries or any portion of it?

17 A No, I never read the book before then.

18 Q What caused you to purchase the book?

19 A I've heard about it. In the McVeigh trial  
20 they mentioned it and USA Today in many articles,  
21 and I decided to see what people were talking about,  
22 better buy a copy of it and check it out and see  
23 what it has to say.

24 Q Prior to buying it and checking it out, what  
25 did you understand The Turner Diaries was about?

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1 Q Were you familiar with any people that were  
2 working at what I'm calling the booth at the time  
3 you bought this book?

4 A No. I have no idea who I bought it from.

5 Q My question was, did you know any of the  
6 people that were running the booth?

7 A No, no knowledge of any people that ran the  
8 booth.

9 Q At the time -- I'm referring to Exhibit 1  
10 still in terms of the allegations that were made  
11 supporting your termination. At the time you went  
12 in to the April 20, 1999 meeting, were you aware  
13 that American Airlines had received a number of  
14 complaints by other employees concerning the flyer  
15 or the pamphlet you had written?

16 A I heard rumors to that effect, just a few  
17 people.

18 Q Had any of the members of the Caucasian  
19 employee resource group told you that people were  
20 upset about your pamphlet?

21 A I received one phone call.

22 Q From who?

23 A Linda.

24 Q What did she tell you?

25 A She said there's just an issue about it with  
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1 arbitration.

2 A Yeah. It's dark; it should be lighter. It  
3 looks like it's gray. That is the T-shirt right  
4 there.

5 Q Let me hand this to you and have you hold it  
6 up to the camera so we've got a better picture of  
7 it.

8 A You want the front first?

9 Q Front first, please, and then flip the back  
10 around.

11 A (Witness complied).

12 Q Sir, there's some confusion in my mind based  
13 upon statements you've made to various people at  
14 various times, so let me ask a couple of questions  
15 about that. Is that the actual T-shirt you wore  
16 the April 20, 1999 meeting of the Caucasian employee  
17 resource group?

18 A No, this is not it.

19 Q What happened to that T-shirt?

20 A I don't know. I think it just got thrown  
21 away.

22 Q At some point I've seen some reference that  
23 lady friend threw it away.

24 A Yeah.

25 Q Does my recall bring a recollection to you  
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1 high management and so she didn't say anybody else,  
2 just that the management was having an issue with  
3 it. That's all she told me.

4 Q Was that a matter of concern at the time going  
5 into the meeting on April 20?

6 A Not really because I didn't have anything in  
7 that literature that was derogatory to any culture  
8 or race or anything.

9 Q Did she, Linda Dill, tell you what it was that  
10 management found offensive about your --

11 A No. She just said that it -- they said it was  
12 improper and it showed a hint of white supremacy to  
13 certain high management people.

14 Q For the purposes of the chronology, was the  
15 last day of your employment at American Airlines May  
16 10, 1999?

17 A Right. May 10th was it.

18 Q Sir, I'm going to direct your attention to  
19 what's been marked as Defendant's Exhibit 15, which  
20 I'll represent to you is a copy of the exhibit  
21 showing a picture of The Turner Diaries T-shirt or  
22 the exhibit that was used at your arbitration.  
23 Starting with a copy of a picture of it, look at  
24 that and tell me if that happens to be a copy of the  
25 T-shirt as it was shown and used in your

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1 A Yeah, a girlfriend. She got kind of irate  
2 about it and she took it and last I saw of it.

3 Q Who is that person?

4 A Lisa.

5 Q Lisa what?

6 A She's a married lady, and I don't feel  
7 comfortable about giving that information out.

8 Q Well, were you having an affair with her at  
9 the time she was married; is that the point?

10 A Yeah.

11 Q Does Lisa still live here in town?

12 A No. She's not in the state anymore.

13 Q Subject to an agreement that I could make  
14 your counsel on a protective order and about how  
15 approach this person, would you agree on a break  
16 here to consult with your lawyer and give me the  
17 person's last name?

18 A I don't think it's appropriate. Does it have  
19 anything to do with the case? I admit I wore the  
20 T-shirt to the meeting, not that exact T-shirt  
21 T-shirt of that exact make and style. This T-shirt  
22 has some unusual marks on it. I don't know what  
23 those marks are of some type, but that's not the  
24 T-shirt I wore.

25 Q Obviously that's a T-shirt that's been worn  
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1 fair amount. It's yellow and stained?

2 A Yeah, it's stained. Actually is this an extra  
3 large. That may be my brother's T-shirt. I think  
4 he had one, too. Looks like an extra large.  
5 Probably too big for me. I wear a medium.

6 Q Let me get the timing of it this and I'll let  
7 you and Mr. Frazier consult on the break about the  
8 issue I've raised. Was the original -- I'll call it  
9 the original -- the original T-shirt that you wore  
10 to the April 20 meeting destroyed by your lady  
11 friend between that meeting and the time of the  
12 arbitration?

13 A It was destroyed just after I was put out of  
14 work, before the arbitration.

15 Q Sometime shortly after May 10, 1999?

16 A Yeah, before the arbitration.

17 Q And what was the nature, as you recall, of her  
18 being upset about it to the extent she trashed your  
19 shirt?

20 A I just told her to go ahead -- it cost me my  
21 job, go ahead and destroy it. So I directed her to  
22 just go ahead and dispose of it.

23 Q The T-shirt you produced that we've been  
24 looking at here today, do you know where you got  
25 that one?

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1 taken and then made as an exhibit, Exhibit 15, w  
2 done?

3 A You know, I can't recall really what T-shi  
4 how they got that T-shirt. I'm trying to think  
5 that far. My memory is not good. I know when I  
6 the attorney, my attorney, we went and got that  
7 T-shirt from Steve. That's where this T-shirt c  
8 from. The T-shirt at the arbitration, I'm not s  
9 I just can't recall where that T-shirt came from  
10 whether they ordered one from the Internet or  
11 whatever.

12 Q Do you happen to know where the T-shirt tha  
13 they took a picture of that's in Exhibit 15 is  
14 located now?

15 A That's probably the one at the arbitration.

16 Q So it was borrowed from Waddel, a picture w  
17 taken and returned to Waddel; is that what you t  
18 happened?

19 A That's probably what happened, yeah, because  
20 when I got the attorney, we went back to his ho  
21 and got that T-shirt.

22 Q When the three of us were in Denver arguing  
23 the appeal of this case, your counsel showed the  
24 panel members a Turner Diaries T-shirt. Is the  
25 he showed them the one that's on the table in f

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1 A The T-shirt, this T-shirt here?

2 Q The one here on the table.

3 A I don't know where that shirt came from. Oh,  
4 the shirt, I know where it came from. It came from  
5 a neighbor, a guy named Steve because I remember we  
6 went to his house and got it.

7 Q Who is Steve; what's his last name?

8 A Steve Waddel.

9 Q He's one of the people that you've listed as a  
10 witness in this case; right?

11 A Right. He's a neighbor and a friend. I've  
12 done a lot of work for him.

13 Q So he himself had one of these T-shirts?

14 A Yeah, he actually had one.

15 Q You said we went and got it from him. Who is  
16 we?

17 A Me and my attorney.

18 Q And did that occur after the arbitration?

19 A Way after the arbitration.

20 Q So the picture that's in Exhibit 15 that was  
21 used at the arbitration is not a picture of the  
22 T-shirt that's on the table; is that correct?

23 A I'm not sure where we got the T-shirt at the  
24 arbitration.

25 Q Were you present at the time that the picture

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1 manner.. I don't remember what it was; it was a  
2 comical T-shirt is all.

3 Q Do you remember what the third one was?  
4 A I don't remember.

5 Q Of the total of four T-shirts you bought at  
6 the gun show that day --

7 A I think it was four of them I bought and  
8 several other things.

9 Q Had you worn any of the T-shirts you bought  
10 that day besides the Turner Diaries ones to work?  
11 A I think I wore the Clinton one one time, once  
12 or twice.

13 Q So you wore the Clinton -- Let's make sure we  
14 understand the chronology. You purchased the shirts  
15 on the weekend of April 10 and 11, 1999?

16 A Uh-huh.

17 Q And you were terminated May 10, 1999, almost  
18 exactly a month later; is that correct?

19 A Uh-huh, right.

20 Q And in the meantime after you bought the  
21 shirts and the Turner Diaries book, we know you  
22 attended the meeting on April 20, 1999 where you  
23 wore a Turner Diaries T-shirt?

24 A Right.

25 Q So is it your testimony that between April 10  
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1 or 11, 1999, that weekend, and the meeting on April  
2 20, that you had worn one or more of the other  
3 shirts you bought at the gun show?

4 A Probably one of them anyway on a weekend.  
5 More than likely I -- I worked a lot of overtime  
6 during that time and I probably wore it once or  
7 twice.

8 Q Do you know for sure?

9 A Not for sure.

10 Q What shift were you working at the time you  
11 were terminated?

12 A I was back on second shift.

13 Q When does that start and when does it end?

14 A I think it started at 2:30 and went to I think  
15 11:15, something around that, the second, what do  
16 you call it, night shift.

17 Q The copy of the Turner Diaries T-shirt that  
18 you bought the weekend of April 10th -- I said  
19 T-shirt, didn't I. The copy of The Turner Diaries  
20 book that you bought during the weekend of April 10,  
21 1999, you said you read a chapter of it; your  
22 brother or somebody loaned it to somebody else, and  
23 you never saw it again?

24 A It disappeared.

25 Q The book that's here at the deposition today,  
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1 where did you get that one?

2 A I don't recall ever getting that book. As  
3 matter of fact, that's a large -- that's a big  
4 book. The one I bought was small; it was much  
5 smaller. That's a much -- I don't know how they  
6 that book.

7 Q Do you know when this version of the book  
8 into your possession?

9 A I don't recall ever buying that book unless  
10 the union -- I think the union may have gotten  
11 somehow because I don't recall buying -- the one  
12 bought was small; it was a smaller version. It  
13 wasn't that large version. That's a larger ver

14 Q Obviously as part of the controversy leading  
15 up to your termination and all the testimony at  
16 arbitration, you understand that the beliefs  
17 espoused in The Turner Diaries were considered  
18 inappropriate in the workplace; is that right?

19 A Yeah. Now that I know the contents, yeah,  
20 probably wouldn't be the right kind of book to  
21 distributing if that's what you mean.

22 Q Between May 10, 1999, the termination date  
23 and your hearing in the arbitration in November  
24 1999, did you read The Turner Diaries?

25 A Yeah, I went through it after the contro  
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1 When the union produced it, I paged through it  
2 it did have some pretty radical stuff, but I did  
3 see anything about making of a bomb in there, a  
4 fertilizer bomb. I never saw the instructions,  
5 know.

6 Q Would you agree with me it's a pretty nast  
7 book in terms of expressing hatred and --

8 A Well, I've read Road Warrior books. I've  
9 read books -- the Holy Bible talks about wholes  
10 destruction of entire tribes in the Old Testame  
11 It was just about as nasty as any other book I'  
12 read. It has some ugly points in it, some ugly  
13 parts, yeah.

14 Q Would you grab the book there for a second  
15 please. Turn to Page 62.

16 A (Witness complied.)

17 Q When you read the book, did you see the  
18 reference to an airliner being shot down? Help  
19 yourself.

20 A My Lasix surgery didn't do too good.

21 Q So you had the surgery?

22 A Yeah. It failed in my right eye. Okay.

23 Q I believe it's the second paragraph. See  
24 reference to the airliner being shot down?

25 A A bazooka to shoot down an airliner which

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1 just taken off at Tel Aviv and -- there were no  
 2 survivors. A bazooka was a portable launcher for  
 3 small rockets used primarily against tanks in World  
 4 War II. Okay.

5 Q As having had a career and I guess a  
 6 continuing career in the airline industry, you know  
 7 one of the most serious things or one of the things  
 8 airlines take most seriously is the safety of their  
 9 passenger and their aircraft?

10 A Absolutely.

11 Q In essence, you, as a licensed mechanic, have  
 12 taken an oath to do everything in your power to make  
 13 sure that operating aircraft are safe; is that  
 14 right?

15 A Absolutely. I've been doing it for 30 years  
 16 now.

17 Q Let's talk a little bit -- before we get too  
 18 far, I'm handing you what's been marked as  
 19 Defendant's Exhibit 15A for purposes of the Record.  
 20 This is a copy of the Turner Diaries. Would you  
 21 identify it as such, please?

22 A It appears to be a complete copy of it. How  
 23 many pages is this?

24 Q It's a copy of a different version of it. I'll  
 25 represent to you.

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1 A The page numbers don't agree.

2 Q For the purpose of the Record, the reference  
 3 to Page 62 was from your copy of the book that you  
 4 brought; right?

5 A Uh-huh, right.

6 Q Let me hand you what's been marked as  
 7 Defendant's Exhibit 2. This is a copy of the  
 8 complaint that you filed in this case on November  
 9 27, 2000 by your lawyer that's here today. Do you  
 10 recognize that as a copy of the pleading that your  
 11 lawyer filed on your behalf?

12 A Yep. That's a copy of the initial pleading,  
 13 brief.

14 Q That was some six months or so after the  
 15 arbitration board made the decision upholding the  
 16 termination; is that correct?

17 A That's correct.

18 Q For the purpose of determining when an  
 19 applicable privilege might apply, when did you first  
 20 hire Mr. Frazier as your attorney?

21 A About a year after I got fired, which would  
 22 have been probably three months after the  
 23 arbitration decision came down. I can't give you an  
 24 exact date.

25 Q Other than to the extent that Mr. Hickman

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1 might be perceived as being your attorney in the  
 2 arbitration, other than Mr. Frazier, have you had  
 3 any other attorneys represent you in connection  
 4 with your claims against American Airlines?

5 A No other attorneys. Just Mr. Frazier, Bob  
 6 Frazier.

7 Q Whether you hired them or not, did you consult  
 8 with any other attorneys besides Mr. Frazier  
 9 regarding your claims against American?

10 A I had interviews with other attorneys, yes.

11 Q One of the people that's on your witness list  
 12 and who we're going to talk about a little later  
 13 today is a man by the name of Eugene Hough?

14 A Gene Hough.

15 Q Hough?

16 A Yeah.

17 Q I apologize. Did you consult with Mr. Hough  
 18 in his capacity as an attorney or merely as you  
 19 listed as a witness, as a friend?

20 A Basically casual talk, not -- I didn't  
 21 consider him to take the case because he's not  
 22 specialized in this type of litigation.

23 Q How did you come to find out about Mr. Frazier  
 24 and ask him to represent you?

25 A Initial meeting, Mr. Frazier answered an ad  
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1 the paper concerning my boat. I sold him my 198  
 2 Crestliner, and it came up that he was an attorney  
 3 and I asked him what he specialized in and he said  
 4 basic accident type, insurance claims, this type  
 5 thing; and about a month later came back to have  
 6 sign some paperwork for the boat and at that time  
 7 asked me some questions about my termination and  
 8 concerning the conditions of it, and he asked me  
 9 to come to his office the next day, which I did.

10 Q And that's where your official attorney-client  
 11 relationship started?

12 A That's where we officially signed the  
 13 paperwork and he became my attorney.

14 Q There are seven what lawyers call causes of  
 15 action in your complaint; do you see that?

16 A Uh-huh.

17 Q One was -- the first one was for breach of  
 18 express or implied contractual obligations. Do  
 19 you understand that that claim was ruled against you  
 20 that the Tenth Circuit Court of Appeals says that  
 21 claim is no longer viable?

22 A Right. They said it was no longer viable,  
 23 that claim.

24 Q And as a matter of a shortcut, since it  
 25 appears you understand what questions I'm asking

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1 you understand that the only claim that you have  
 2 left as a matter of law to pursue against American  
 3 Airlines is your claim that your rights of equal  
 4 protection were violated?

5 A Right. That's our claim, yeah.

6 Q Do you understand that the underlying  
 7 discharge, your firing from American Airlines has  
 8 been upheld by the Tenth Circuit?

9 A Right, the firing itself.

10 Q In your own words, tell me how you think  
 11 American Airlines denied you equal protection of  
 12 law.

13 A Okay. To put it very simply, the people in  
 14 charge of this group put heavy pressure on me to  
 15 make up some literature, custom made for this  
 16 particular group. On several occasions before I  
 17 manufactured this piece of literature, I asked for a  
 18 list of guidelines for this piece of literature,  
 19 which they could not produce. So I went to the  
 20 library and got several books on aviation, and I  
 21 contacted her again and I said I still don't know  
 22 what to put on here, and she said put down something  
 23 that concerns the history of aviation and the  
 24 Caucasian people. I said there's plenty of books at  
 25 the library and made this up. I did put down -- at

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1 the diversity fair I put down on the literature,  
 2 please proofread before distribution, which I don't  
 3 know if they did or not, but they distributed the  
 4 literature.

5 When this issue came up about this literature  
 6 being fit for distribution, none of these other  
 7 people were in any way disciplined, either  
 8 termination or other type of disciplinary action. I  
 9 was the only one that was, shall we say, targeted  
 10 for dismissal. I feel that many other people wore  
 11 T-shirts at this facility, including one that showed  
 12 an Adolph Hitler face. Numerous T-shirts showed  
 13 female body parts, pro-homosexual T-shirts and some  
 14 T-shirts -- Malcolm X showing a violent act against  
 15 a police officer, which I didn't complain about but  
 16 some people did, and they were not disciplined for  
 17 any of these types of T-shirts. I was the only one  
 18 in the history of American Airlines who was  
 19 terminated for wearing a T-shirt.

20 Also they did not -- they did not follow  
 21 established policies, called a peak performance  
 22 program, which before a person can be terminated has  
 23 to go a three-step program. First step is a  
 24 counseling. Second step that if the person still  
 25 violates a certain rule, then they're put out of

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1 service for one day, called a career day, and the  
 2 third time, if they still violate the same rule,  
 3 then they're terminated. American Airlines did  
 4 follow that procedure, established agreement with  
 5 the union. So that's my claim of unequal  
 6 protection.

7 Q Let's start with number three and go  
 8 backwards. Number three in terms of application  
 9 what is known as the peak performance or commitment  
 10 policy, that was an issue regarding company policy  
 11 that was raised, litigated and decided against you  
 12 in the arbitration; correct?

13 A Correct.

14 Q Do you understand that that is no longer a  
 15 game in this lawsuit?

16 A Right. You asked me my opinion why.

17 Q I appreciate that. I'm just trying to keep  
 18 focused so we use our time adequately.

19 A Okay.

20 Q Number two, I have characterized it as other  
 21 people wearing T-shirts who were not terminated  
 22 Okay?

23 A Right.

24 Q There was evidence, and we will look at  
 25 exhibits that were introduced at the arbitration.

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1 the effect of other T-shirts that were worn and  
 2 person that wore them was not terminated.

3 A Right.

4 Q Okay. I don't expect you to remember them  
 5 -- all of them. My question is, do you have any  
 6 examples of any other T-shirts from your personal  
 7 knowledge that have been worn by other employees  
 8 American Airlines other than those that were  
 9 introduced in your arbitration?

10 A I did not make it a personal hobby of  
 11 observing people's T-shirts; however, I had received  
 12 many complaints of fellow workers of other people  
 13 wearing T-shirts, in particular some that were  
 14 well, I'll say this. I didn't make it an issue  
 15 go to management about things that offended me  
 16 where some people may do it but I did not ever  
 17 that. I never went to HR with complaints, although  
 18 some things did bother me occasionally.

19 Q Let's try it this way. We're skipping around  
 20 a little bit. Is the answer to my question, other  
 21 than what the union introduced on your behalf at  
 22 arbitration, you don't have any current evidence  
 23 other T-shirts that other employees wore and who  
 24 were not terminated?

25 A Yeah, just at the arbitration, the ones that

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Only a week to

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1 were brought up as far as I know.  
 2 Q Then skipping back to the first item, nobody  
 3 else in the Caucasian employee resource group was  
 4 disciplined for the flyer, let me ask the first  
 5 question. Were all members of the Caucasian  
 6 employee resource group white?

7 A I don't really know because I had no list. I  
 8 was only a member one month.

9 Q Do you ever recall a non-white attending any  
 10 meeting of the Caucasian employee resource group?

11 A Absolutely, many times, the two meetings I  
 12 went to.

13 Q Do you recall, or strike that. Do you know  
 14 whether that person was there as a member or as  
 15 you've testified earlier, a management  
 16 representative from the diversity action council?

17 A Diversity action council, as far as I know I  
 18 don't know whether they were management or not  
 19 because there was so many people attended those  
 20 meetings but there were people of different ethnic  
 21 people there.

22 Q Let me approach it a little differently. Were  
 23 all the people that you dealt with at the Caucasian  
 24 employee resource group white?

25 A For the most part, yeah, they were white.

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1 Q Let's go down the list of people you know.  
 2 Linda Dill, is she white?

3 A Yes.

4 Q Craig Nichols, is she (sic) white?

5 A He's white.

6 Q Give me the names of the people you know by  
 7 name that were in the Caucasian employee resource  
 8 group.

9 A I don't know if the people were actually  
 10 members or not because I don't really know. It was  
 11 people that were there. As I said, I only joined  
 12 six weeks before the thing went wrong, and the group  
 13 was in operation for six months before I went and  
 14 attended some of the meetings. There were several  
 15 people on the list of potential witnesses that  
 16 attended those meetings. They're all there.

17 Q Were all those people white?

18 A White or part Indian. There were some people  
 19 that had some Indian heritage but they were for the  
 20 most part I would say white. I don't know what the  
 21 total definition of white really is, but they're all  
 22 employees, union people for the most part. I don't  
 23 know of any management people that were in the group  
 24 at all.

25 Q Were all the officers or the leaders of the

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1 group that you dealt with white people?

2 A The two I knew, yeah.

3 Q Focusing on your first subject area of the  
 4 complaint about nobody else from the CERG being  
 5 disciplined, did you believe that the treatment  
 6 received as opposed to the consequences to the  
 7 leaders of the group was unfair?

8 A Yes, I believe it was unfair.

9 Q What do you believe the company should have  
 10 done to discipline the leaders of the Caucasian  
 11 employee resource group as a result of the pamphlet?

12 A Well, first thing, I believe they should have  
 13 be treated equal, all people involved. I think  
 14 letter in the file, a letter, disciplinary letter  
 15 the file, in their files would have been  
 16 appropriate. Possibly counseling at the very  
 17 maybe some time off without pay, possibly, but  
 18 nothing approaching termination.

19 Q And had the company administered any  
 20 combination of that discipline to you and the  
 21 leaders of the -- or to you and the leaders of  
 22 Caucasian employee resource group, would you have  
 23 any complaint at this point in time?

24 A Well, personally I think that the infractions  
 25 or whatever was presented at the meeting, the g

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1 was that there was no guidelines given, which did  
 2 warrant any real disciplinary action. If there  
 3 would have been actual guidelines of this literature  
 4 and if guidelines were violated, then I could see  
 5 problem. The reason I think they had the meeting  
 6 was to describe what went wrong with this  
 7 literature, what was wrong with it that people  
 8 certainly a few people got upset about, but I do  
 9 think the fact that I was the only one targeted  
 10 this situation was not right. It violated all  
 11 of fairness.

12 Q By the time of the April 20, 1999 meeting  
 13 the Caucasian employee resource group where you  
 14 The Turner Diaries T-shirt, by that point in time  
 15 the group had already been suspended; is that  
 16 correct?

17 A I wasn't sure if the group was because when  
 18 was notified of a meeting on a flyer on a wall,  
 19 said the meeting was that day, all members invited  
 20 So -- and all non-members. It was basically an  
 21 meeting, and it was established on the same day  
 22 ever had a meeting. It was on Tuesday, so --

23 Q So is it your testimony you didn't know the  
 24 group had been suspended prior to going to the  
 25 20 meeting?

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1 A I thought that's what the meeting was about,  
 2 that they were going to suspend it, but I didn't  
 3 know it was suspended at that time. I thought the  
 4 meeting would be about that situation, but I didn't  
 5 know if it was actually suspended at that time.

6 Q You testified earlier today that you found out  
 7 about the April 20 meeting from another crew member;  
 8 is that correct?

9 A Yeah, Eric Hanson.

10 Q Describe that to me.

11 A Well, I got to work and punched in and went  
 12 into the shop.

13 Q That would be around 2:30; correct?

14 A Probably around a quarter until 3:00. We were  
 15 already in the area, awaiting what we call the  
 16 tie-in, the work orders.

17 Q Tell us which area. I'm sorry.

18 A Hangar 2B where I worked 727 flight, C check.  
 19 We had a small, real small little shop we met in  
 20 around a small table, and Eric said I see on the  
 21 bulletin board there's a flyer, a green flyer  
 22 talking about the resource group has a meeting  
 23 today, and I said, well, let me see if I can go to  
 24 it, I would like to see what's going on. I went to  
 25 Tom Snyder, the supervisor, and asked if I could --

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1 the work load wasn't too bad, so I said can I be  
 2 dismissed for an hour to attend this meeting and he  
 3 said go ahead.

4 Q Was Eric Hanson involved in the group.

5 A No, I don't think he was. He just notified me  
 6 the bulletin board had it on there.

7 Q He was a co-worker?

8 A Yeah, he was my avionics co-worker. I worked  
 9 with him quite a bit, did.

10 Q To your personal knowledge, were there any  
 11 leaders or members of the Caucasian employee  
 12 resource group that were non-white and were  
 13 disciplined in a fashion other than yourself?

14 A Not to my knowledge.

15 Q Now, Mr. Mahon, when you attended the April 20  
 16 meeting wearing The Turner Diaries T-shirt, did you  
 17 recognize that those who had an appreciation for  
 18 what that book was about might be offended?

19 A Well, first of all, the book is not well  
 20 publicized. Most people -- I wore the T-shirt all  
 21 day and nobody mentioned it, nobody looked at it,  
 22 and most people -- one guy said is that Ted Turner,  
 23 and I said, well, not quite Ted Turner, but most  
 24 people had no idea what it was about. As a matter  
 25 of fact, nobody in the meeting -- I was sitting

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1 about 25 feet away from anybody from management,  
 2 in the corner so they would have had to have pre-  
 3 good eyesight to read the T-shirt from 25 feet a-  
 4 It took them basically, what, ten days from the  
 5 I was put out of service until the time they cal-  
 6 me in to terminate me to determine that that T-  
 7 was inappropriate during the investigation. So  
 8 nobody told me at the meeting at all that there  
 9 a problem with the T-shirt.

10 Q Did you understand at the time you wore the  
 11 T-shirt if in fact somebody did know what it was  
 12 about, you were running a risk by wearing that  
 13 T-shirt to work?

14 A Well, it was the only T-shirt I had that was  
 15 clean enough to wear and I wore it. I didn't think  
 16 it would cause a problem. As a matter of fact,  
 17 didn't think anybody would be at the meeting to  
 18 you the truth, but I was sitting at the far end  
 19 the table. I didn't get up there and put it in  
 20 anybody's face so to speak, but I didn't notice  
 21 anybody staring at me or giving me any kind of a  
 22 look at all. I saw no unusual facial expression  
 23 upon wearing the T-shirt.

24 Q Well, I asked you a slightly different  
 25 question. My question was, if somebody knew what

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1 the Turner Diaries T-shirt were about at work, would  
 2 you understand you were running a risk by wearin  
 3 that T-shirt to work?

4 A If they read the book from cover to cover,  
 5 they would be, but the initial statement on the  
 6 T-shirt is a pro-gun, what would the government  
 7 do -- what will you do when the government comes  
 8 take away your guns. It also admonishes not to  
 9 the book. It says the FBI considers the book  
 10 dangerous. So the admonishment on the T-shirt is  
 11 actually not to read the book.

12 Q Which, of course, is all the more reason to  
 13 read it; right?

14 A Well, I don't know about that, but most people  
 15 that read the T-shirt thought it was a pro-gun  
 16 T-shirt.

17 Q Before we take a little break, is it your  
 18 testimony that prior to the start of your shift  
 19 April 20, 1999, you were not aware that there was  
 20 going to be a meeting of the Caucasian employee  
 21 resource group?

22 A I wasn't really sure. I knew there was a  
 23 meeting that could happen at any time but I was  
 24 sure what day. It could have been any time. On  
 25 the flyer was actually found and I was notified

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1 the flyer, I didn't know exactly about that meeting.  
 2 Q You've confused me now.  
 3 A Until I was notified of the flyer, I didn't  
 4 know the meeting was going to take place.  
 5 Q Okay, and when were you notified of the flyer?  
 6 A About a quarter until 3:00 before the shift  
 7 started in my shop.  
 8 Q How did you become aware of that?  
 9 A When Eric Hanson came and said hey, go check  
 10 out the flyer on the bulletin board in the hallway;  
 11 there's a green flyer about your group; they're  
 12 having a meeting. That's when I asked my supervisor  
 13 to take some time off to go to the meeting.  
 14 Q So your reference to the flyer that you just  
 15 talked about wasn't the offending flyer that caused  
 16 the start of this problem?  
 17 A Oh, no. This is the flyer announcing the  
 18 meeting, the CERG meeting, the last CERG meeting.  
 19 Q Just for the purpose of the Record, I direct  
 20 your attention to what's been marked as Defendant's  
 21 Exhibit 17. Sir, is this the flyer you made  
 22 reference to in your last series of testimony that  
 23 was -- I think you said was it green that gave you  
 24 notice --  
 25 A Yeah. This was green. Yeah, this was green.

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1 explain what is wrong with the literature.  
 2 Q Now, do you believe that you have a right to  
 3 express your own personal political beliefs in the  
 4 workplace?  
 5 A Insofar as it affects current events I think  
 6 that's what most people -- especially during  
 7 election year, that's all you hear about.  
 8 Q Do you believe that the message that is seen  
 9 by The Turner Diaries is a political message?  
 10 A Well, it's a novel. It has some strange  
 11 belief systems that were presented later in the  
 12 book. The first chapter, like I said, I thought  
 13 was strictly a book about a bunch of people that  
 14 were being hunted down because they had weapons  
 15 guns, and I thought it was strictly a deal about  
 16 guys resisting government authority when they had  
 17 big gun raids. It wasn't until much later that  
 18 I found out what the rest of the book was about.  
 19 I know McVeigh was really, real heavy Second  
 20 Amendment advocate. I never met the man at a gun  
 21 show, but that's the only thing I know as far as  
 22 that goes. The people around the base would talk  
 23 politics all the time. Especially Clinton was a  
 24 topic.  
 25 Q Do you believe that in connection with the

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1 This is on the bulletin board outside the hangar.  
 2 Q I can't read it very well. Do you happen to  
 3 know beside the exhibit sticker what that round  
 4 circle thing in the bottom right-hand corner is?  
 5 A I haven't the foggiest idea. Looks like a  
 6 soccer ball.  
 7 MR. CORDELL: Is this a good time to take a  
 8 break?

MR. FRAZIER: Sure.

10 (Following a short recess at 10:37  
 11 a.m., proceedings continued on the Record at 11:00  
 12 a.m.)

13 Q Mr. Mahon, at the April 20, 1999 meeting, from  
 14 notes you produced to me, I've seen where you say  
 15 that Mr. Greg Hall made statements in that meeting  
 16 to the effect that political statements were  
 17 recruiting; do you know what I'm talking about?  
 18 A Yeah.

19 Q What did he say?

20 A I'll quote verbatim. He said, Dennis, I'm not  
 21 going to allow white supremacist, neo-Nazi or  
 22 skinhead material to be distributed on this base,  
 23 and I said, sir, first of all, my name is not  
 24 Dennis; I resent you saying that, but I said you  
 25 know, please explain -- at that time I said please

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1 pamphlet and wearing The Turner Diaries T-shirt  
 2 the April 20 meeting that you were singled out  
 3 because of your political views?  
 4 A It became very apparent even at the meeting  
 5 that the whole subject concerned my twin brother  
 6 Dennis, especially when the vice-president of  
 7 maintenance addressed me twice as Dennis. He made  
 8 a mean-spirited remark by not calling me by my  
 9 name. There were several issues brought up at  
 10 the meeting, not just this material. Also was a  
 11 statement made by a Robert Hosier that was extra  
 12 inflammatory that I think everybody in that meeting  
 13 would testify to.  
 14 Q I'm not sure either you understood or answered  
 15 my question. Do you believe that you were singled  
 16 out by American Airlines based on your political  
 17 views?  
 18 A Yes, I think they singled me out for sure  
 19 because they assumed I had these political beliefs.  
 20 They assumed things and they targeted me,  
 21 unwarranted.  
 22 Q Is it your testimony that you don't have any  
 23 political beliefs whatsoever?  
 24 A Everybody does. I'm a right wing  
 25 conservative, Rush Limbaugh type, but I'm not a

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1 hater or a blatant racist.  
 2 Q You've testified or written in various places  
 3 that we'll talk about in more detail later that you  
 4 are not a card-carrying member of any white  
 5 supremacist group?

6 A Never been.

7 Q Since those are words you've used, what do you  
 8 mean by card-carrying?

9 A A card-carrying member of any organization  
 10 would be a person that's been sworn in, a membership  
 11 number, an active part of a group.

12 Q You've testified that there was a period of  
 13 time in which you were associated with the Caucasian  
 14 employees resource group but before you actually  
 15 joined; is that right?

16 A I went to one meeting before I actually joined  
 17 up.

18 Q Have there been groups, sir, that you have  
 19 been associated with that you have not been  
 20 card-carrying member of?

21 A Associated? That's a big term. Other than  
 22 the people that my brother associated with, I knew  
 23 people by names, not personal friends or personal  
 24 acquaintances, just name familiarization. That was  
 25 all.

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1 Q And what type of groups are you talking about  
 2 your brother associating with?

3 A The people he associated with, anti-government  
 4 militias, tax protests, some racist type people, but  
 5 they weren't associated with me.

6 Q So is that the distinction that you've drawn;  
 7 you've been around and perhaps participated in  
 8 meetings of those but you've never been a  
 9 card-carrying member?

10 A Participation, another big term. I  
 11 volunteered upon request to videotape certain  
 12 mayoral forums, certain rallies and provide a  
 13 rebuilt PA system, and that's as far as it went. As  
 14 much as my twin brother is my brother, I didn't  
 15 approve of all of his beliefs but I still love him  
 16 as my brother and I was protective of him, somewhat  
 17 protective.

18 Q I've seen that statement before; that you  
 19 didn't approve of all of his beliefs. Which beliefs  
 20 do you and your brother share in common?

21 A Basically taxation and gun control. That's  
 22 basically what it is. He's a very complicated  
 23 person, very complicated personality, and I really  
 24 don't know what his really total belief system is.  
 25 He's unique to himself.

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1 Q Well, certainly it's fair to say that he's  
 2 been a controversial figure; wouldn't you agree?  
 3 A Anybody that runs for mayor and has alternate  
 4 viewpoints I guess would be considered  
 5 controversial, sure.

6 Q Let's go back a little farther in time. I  
 7 generally speaking. If I'm not saying it  
 8 accurately, point it out, but generally speaking  
 9 your brother, Dennis, has been associated, if it  
 10 fact not the leader of, a section of the Ku Klux  
 11 Klan; is that right?

12 A Yes, he was. He was a leader in Missouri  
 13 until 1990, right around October. I gave him the  
 14 months to vacate that position or go find another  
 15 place to live, and he did. So I'm responsible for  
 16 getting him out of that organization. I said you  
 17 got three months to get rid of that thing or you  
 18 have to find another place to reside, which he did.

19 Q And your brother, Dennis, has also received  
 20 attention for being detained in Canada as a result  
 21 of pro-Nazi speeches that he made in Germany;  
 22 correct?

23 A Canada, he was deported for a book on  
 24 immigration. There are -- certain publications  
 25 illegal up there, about 20 different publications

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1 If you get caught, you'll be deported, and that  
 2 what happened to him. He was caught with a book  
 3 a British author, so he was deported.

4 Q Other than the KKK, what organizations do  
 5 you know that your brother has been associated with  
 6 would be considered anti-government, racist,  
 7 supremacist, things of that nature?

8 A As far as being a membership of anything;  
 9 that what you are saying?

10 Q I'm not trying to be that limiting.

11 A The only person I know that he was involved  
 12 with is Thomas Metzger in Fallbrook, California.  
 13 That's the only person I know he ever really had  
 14 correspondence with actually.

15 Q Known as Terrible Tommy; right?

16 A Yeah, Terrible Tommy.

17 Q Have you ever met Terrible Tommy?

18 A One time I met him. He was a television  
 19 repairman, and as I do television repair work,  
 20 to ask his advice a few times but other than that  
 21 we're not really considered friends. I don't  
 22 consider him really an acquaintance really. I  
 23 haven't spoken to him in, gosh, ten -- since  
 24 Dennis -- Dennis doesn't operate with WAR anymore.  
 25 He's not active. Since he left Tulsa, he's not

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1 an active member of anything.

2 Q When did he leave Tulsa; after your  
3 termination?

4 A Yeah. That was 19 -- late -- no. It was  
5 about June of 1999.

6 Q You've made reference to WAR and that stands  
7 for White Aryan Resistance; correct?

8 A Right.

9 Q Were you involved in any fashion, whether you  
10 were a card-carrying member or not, with WAR?

11 A Well, as far as what I heard from my brother,  
12 WAR isn't a membership organization. They don't  
13 have memberships; they have associations and they  
14 sponsor concerts for these kids, little bald-headed  
15 kids, but he really isn't -- it's not really an  
16 organization per se. He just puts out a little  
17 newsletter and that's it.

18 Q Do you believe that in addition to your own  
19 political views, you were singled out by management  
20 because of the views of your brother?

21 A Absolutely. The notes in the arbitration will  
22 bring that out. It brought my twin brother's name  
23 in almost ever issue involved in the arbitration, so  
24 I would say absolutely yes.

25 Q I'm going to hand you what I'm going to

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1 memory of what was said, and I don't have time to  
2 read every single page but --

3 Q Well, not really, does that mean no, you have  
4 not annotated or written --

5 A No, I've not annotated any notations on the  
6 transcripts.

7 Q Does anything specifically come to mind that  
8 is in that transcript through the testimony on the  
9 arbitration that you believe to be untrue?

10 A I don't understand the question. Anything  
11 that was in these transcripts that I think is  
12 untrue?

13 Q Yes.

14 A That American brought up?

15 Q Anybody brought up.

16 A Absolutely. A lot of things are untrue.

17 Q What ones do you recall? I realize it's a  
18 thick thing, but you're living this firsthand; you  
19 attended the arbitration; you have the transcript.  
20 What things are not true that were testified about  
21 in the arbitration?

22 A The innuendos that I'm a member or support  
23 heavily white supremacist groups, that I support  
24 them monetarily, that I support my brother  
25 monetarily.

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1 mark --

2 MR. FRAZIER: I don't need a copy, David.

3 I've got the transcript.

4 Q What I'm labeling as Exhibit 9A, which I'll  
5 represent to you is a copy that I have of the entire  
6 transcript from the arbitration, three-day  
7 arbitration of your discharge. I will tell you for  
8 some reason the copy that I got, there's a page here  
9 or there missing, not of anything of consequence  
10 that I know of, and when I get the missing pages,  
11 I'll supplement, but have you seen a copy of the  
12 transcript of your arbitration before today?

13 A I've seen most of it, yeah. I've gone through  
14 periodically. I didn't read all of them, I just  
15 don't have the time, but I pretty much went through  
16 the arbitration. I witnessed the whole proceeding  
17 and know what transpired in those proceedings.

18 Q So you do have copy of it, you and/or your  
19 lawyer?

20 A Yeah, we have copies.

21 Q As you've read through it, have you written on  
22 it, annotated it, whatever word you want to use, for  
23 things you agree or disagree with?

24 A Not really. Like I said, I've been witness to  
25 all the things that went on. I have a pretty good

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1 They assumed that I went on my own to make this  
 2 literature up, which I was bothered at least six  
 3 times to be sure to put out this literature. That's  
 4 basically the two big things that I can recall that  
 5 were totally false.

6 Q Let's talk about the testimony about the bomb  
 7 threat. Is that the same story about you and your  
 8 brother going to Walgreen's to drop some film off?

9 A Yeah, to drop some film off.

10 Q Is it true you and your brother went to  
 11 Walgreen's to drop some film off?

12 A All the time.

13 Q Which Walgreen's?

14 A We went to the one on Pine and Sheridan. I  
 15 was doing a lot of buying and selling of collectable  
 16 model airplanes at the time and, of course, people  
 17 want pictures so we always had pictures to develop  
 18 and send out. That was before the age of computer  
 19 scanners and things. So we went there quite often;  
 20 but I don't ever believe my brother screaming out  
 21 loud that -- I don't even know what she said,  
 22 something about a threat against American.

23 Q Something to the effect of if my brother  
 24 doesn't get his job back at American, that they're  
 25 going to see the biggest bomb they ever had?

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1 A Yeah. This woman has obviously a big, big  
 2 imagination. Plus, if she took that really  
 3 seriously, if she did take it seriously, she's in  
 4 violation of law by not reporting that to the  
 5 authorities. If you hear a conspiracy to do an act  
 6 of violence like that, you are required by law to  
 7 report that to authorities. She did not do that.

8 This woman at her job, I know she has a lot of  
 9 the people that work for her at the restaurant that  
 10 she manages have a lot of complaints, and she has a  
 11 poor track record of management policies. So -- but  
 12 anyway, I think this woman has some problems.

13 Q Do you think she was out to get you?

14 A I think she didn't like my brother's politics  
 15 for sure, and she appeared to be extremely upset at  
 16 the arbitration, more upset than anybody who had  
 17 heard something six months before that. She  
 18 appeared to be emotionally disturbed to me.

19 Q Possible she was scared of you and your  
 20 brother?

21 A No. I think she is on some kind of  
 22 medication. I've heard she has had some surgeries  
 23 and some health and mental problems.

24 Q At the time of the incident at Walgreen's, was  
 25 your brother drunk?

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1 A He did most of his drinking on weekends. He  
 2 never did publicly drink. He didn't appear to be  
 3 drunk any time we went to stores. I wouldn't be  
 4 with him if he was drunk, I never would be with  
 5 him, but he was for the most part sober most of  
 6 time. Sometimes on the weekend he would imbibe  
 7 little bit.

8 Q When did the incident at Walgreen's occur;  
 9 a weekend?

10 A No. I think it was -- we usually went during  
 11 the week. That's when he did all of his business.  
 12 I don't know exactly what day it was, but I know  
 13 he wasn't drunk and I know he didn't say it.

14 Q Did he say anything that has a ring of truth  
 15 from what this witness testified about?

16 A I don't recall him ever saying anything about  
 17 my situation at American at all. He certainly  
 18 didn't say anything about a bomb going off. That  
 19 one thing he wouldn't have said, but I didn't hear  
 20 him say anything at all.

21 Q So it's possible he said it and you didn't  
 22 hear it; is that true?

23 A Well, if she was in the area -- I don't know  
 24 where she was standing at the time, but if he said  
 25 that out, I'm sure the person he was talking to

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1 the counter would have heard it, and I have no  
 2 inclination of anything like that. It's a big  
 3 store. Anything is possible. I don't know, but  
 4 I know I don't think he would have said that. I  
 5 heard him say it.

6 Q You worked at American roughly fourteen years  
 7 is that right?

8 A Just shy of fourteen years, uh-huh.

9 Q Limiting it to your work group, in other  
 10 words, the people that work out at the base here  
 11 Tulsa, generally speaking is the majority of the  
 12 people that work out there white?

13 A In my department?

14 Q Yes.

15 A Yeah. My whole crew -- well, the crew I  
 16 worked with were all Caucasians. The crews I  
 17 worked with before that were mixed. Even at my  
 18 arbitration, I had two mixed members on my crew,  
 19 Hispanic American and Asian, Barney, and we had  
 20 another guy, yeah. We had mixed. The entire crew  
 21 I worked with was mixed.

22 Q From your -- what you see when you drive in  
 23 work and go into the parking lot and you walk  
 24 through the buildings, go to your work station,  
 25 isn't it true that the vast majority of the people

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1 that worked in Tulsa for American Airlines are  
 2 Caucasian?  
 3 A That applies to any corporation. Majority of  
 4 people usually are Caucasian, yeah. We've had some  
 5 mighty fine people out there.

6 Q Despite the fact that the majority of the  
 7 people that work for American Airlines are  
 8 Caucasian, do you recognize that American also hires  
 9 people of all nationalities and colors?

10 A Absolutely. Some of the best people I've  
 11 worked with are of other cultures and races.

12 Q Do you agree from your time at American  
 13 Airlines, that American has policies to encourage  
 14 diversity and respect for all groups of people?

15 A Sure. It's been a policy for most companies.

16 Q Did you understand at the time you worked  
 17 there that American had an anti-discrimination  
 18 policy prohibiting discrimination based on anybody's  
 19 race?

20 A For hiring purposes, yeah, they do.

21 Q Any kind of practices. Did you understand  
 22 that discrimination was not tolerated at American?

23 A Right. That's the policy for a long time.

24 Q And that was true of any race, discrimination  
 25 against whites, for example?

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1 A Right. For any people at all, yeah.

2 Q Now, there were more employee resource groups  
 3 than just the Caucasian one; correct?

4 A As far as I know, there was like 20 of them.

5 Q Do you remember the names of any of them?

6 A African American, gay and lesbian, GLEAN.  
 7 There was Muslim American, people over 40 group.

8 There was female and women, and different occupation  
 9 group. There were a lot of different groups, just  
 10 probably around 20 or 30 in all.

11 Q Mr. Mahon, did you join or participate in any  
 12 of those groups besides the Caucasian employees  
 13 resource group?

14 A No, I didn't. I wasn't that -- for one thing.  
 15 I wasn't concerned that much about it. I didn't  
 16 even know it was a Caucasian resource group for a  
 17 long time. It had been in operation for six months.  
 18 I had no idea it was in operation even.

19 Q Why did you decide to join the Caucasian  
 20 resource group?

21 A One of the guys at work said there's a  
 22 Caucasian resource group. I said I don't believe  
 23 they would allow it, and so he said they have  
 24 meetings once a month, and I started to go to one of  
 25 their meetings just as a curious observer.

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1 Q Why did you think that the company wouldn't  
 2 allow Caucasians to have a resource group?  
 3 A I didn't think that it would be somewhat, or  
 4 not really encouraged.

5 Q Because?

6 A Just my gut feeling. It was a gut feeling.  
 7 Q Because?

8 A Because I got a gut feeling.

9 Q Is that the best you can do to answer that  
 10 question?

11 A I think they would consider that racist. The  
 12 company would consider that a racist group to have  
 13 that form up.

14 Q What was your purpose in joining the group?  
 15 A I joined after the first meeting just to see  
 16 what they had to say and to warn them about not  
 17 getting too far in certain areas. I wanted them  
 18 to be very watchful on what they do because they're  
 19 under a watchful eye.

20 Q Because you were experienced with the company  
 21 right?

22 A Management was heavily represented in all  
 23 these meetings. So I said you are being watched  
 24 be very careful of what you do.

25 Q Generally speaking, from your observation if  
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1 terms of the work group that you're in and on the  
 2 base, are the majority of management positions a  
 3 American held by white people?

4 A First of all, I'm not in a WAR group. I was  
 5 to make that perfectly certain.

6 Q I apologize. Work group.

7 A I'm sorry, work group. Let's get back to the  
 8 question again so I understand what you're asking  
 9 here.

10 Q From your observations, both in your work  
 11 group and knowledge of the base in Tulsa in general,  
 12 isn't it true that the vast majority of people in  
 13 management positions are white people?

14 A Oh, absolutely, absolutely. They tried very  
 15 desperately to get more people of different races  
 16 come into management, but a lot of people don't  
 17 to get in management there. That's a common thing.  
 18 They have a hard time filling management, getting  
 19 anybody in there. They have a bad reputation.

20 Q Have any of your supervisors during your time  
 21 out at American been non-white?

22 A I'm trying to think. We've had a lot of  
 23 supervisors.

24 Q Any that you recall being non-white?

25 A Not that I can recall. We had a handicapped

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1 supervisor, my last one.  
 2 Q Of the managers you've had over the years,  
 3 were any of them non-white?  
 4 A At American?  
 5 Q Yes, sir.  
 6 A Not that I know of, not that I can remember.  
 7 Q Were any of your crew chiefs at American other  
 8 than Caucasian?  
 9 A Let me think. Is that considered acting crew  
 10 chiefs or people at temporary crew chiefs?  
 11 Q Let's not get down into the temporary. That's  
 12 a little bit --  
 13 A I'd say no.  
 14 Q You're clearly a white male; right?  
 15 A Yeah.  
 16 Q Did anybody else help you prepare the flyer  
 17 that was handed out at the diversity fair?  
 18 A No. Just me. I went to the library and hit  
 19 the books in four hours.  
 20 Q Are you aware of any non-Caucasians who have  
 21 distributed a pamphlet or flyer suggesting racial  
 22 superiority of their race?  
 23 A It was brought to my attention that the  
 24 African Americans had one on football and sports.  
 25 That wasn't considered hateful, but it was their own

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1 A Same year I'm sure.  
 2 Q How do you know that?  
 3 A Because he said he wore it recently. He said  
 4 he recently wore one. I'll have to check the notes  
 5 in the arbitration but --  
 6 Q Are you and Tim friends?  
 7 A I think I met him one time because their  
 8 hangar was right next to our hangar, and he had a  
 9 big Harley Davidson motorcycle we talked about; but  
 10 we weren't like buddies.  
 11 Q Did you ever discuss your political views and  
 12 find you shared common views?  
 13 A Not to speak of.  
 14 Q At all?  
 15 A We just talked about the job at hand and his  
 16 motorcycle situation. Oh, I did fix a VCR for him  
 17 one time.  
 18 Q What race is Mr. Vinson?  
 19 A He's Caucasian, possibly some Indian mixture  
 20 but he's from the area, from Oklahoma. Like most  
 21 Oklahomans, they have a little bit of something  
 22 them, you know.  
 23 Q Are you aware of anybody other than Mr. Vinson  
 24 and yourself ever wearing a Turner Diaries T-shirt  
 25 to the workplace at American Airlines?

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1 developed literature.  
 2 Q Other than that, are you aware of anybody ever  
 3 distributing a flyer that was considered to be  
 4 hateful and supremacist to a particular race?  
 5 A I've never seen any out there.  
 6 Q Generally speaking, do you believe that  
 7 American Airlines discriminates against white  
 8 people?  
 9 A Generally I'd say no, generally no.  
 10 Q Okay. In this particular instance, do you  
 11 believe you were discriminated against because of  
 12 your race or your political beliefs?  
 13 A Either or both. Probably both.  
 14 Q There was testimony to the effect, as I  
 15 recall, that somebody named Tim Vinson --  
 16 A Right, Tim Vinson.  
 17 Q -- also wore a Turner Diaries T-shirt to work;  
 18 is that right?  
 19 A That's correct. At the arbitration he said he  
 20 wore it for four or five days, I forgot, one of the  
 21 two. He wore it to work.  
 22 Q Do you know when he wore it to work?  
 23 A I don't recall exactly when.  
 24 Q Do you remember if it was the same year as  
 25 your termination, or do you even know?

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1 A Any other people wearing Turner Diaries,  
 2 that's the only one I have knowledge of.  
 3 Q Are you aware of any non-white, non-Caucasian  
 4 person who has worn a T-shirt depicting a book that  
 5 promotes white supremacy?  
 6 A No, I have not.  
 7 Q Are you aware of any non-Caucasians or  
 8 whites -- excuse me or non-whites that have worn  
 9 T-shirts depicting a book that promotes anti-Semitic  
 10 views?  
 11 A Just the one that Linda Dill made reference  
 12 to, the Malcolm X T-shirt, and that was not a book.  
 13 It was just depicting a scene that she was offended  
 14 by is the only one I know of.  
 15 Q Who was Malcolm X or is he?  
 16 A He was a black leader in the '50's and '60's.  
 17 He was a separatist, actually a very articulate man  
 18 but he promoted racial separation and very  
 19 anti-government.  
 20 Q To your knowledge did Malcolm X promote racial  
 21 violence?  
 22 A He had a statement as necessary, but I don't  
 23 know what that would mean, but that could mean  
 24 anything. Some of the people objected to that  
 25 T-shirt, but I saw some Louis Farrakhan out there

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1 too. A lot of Christian was distributed out of my  
 2 toolbox.

3 Q A lot of what?

4 A Christian material.

5 Q The person that wore the Malcolm X T-shirt,  
 6 did you see it with your own eyes or did you just  
 7 hear it?

8 A No. This was testimony at arbitration when  
 9 the subject got on T-shirts.

10 Q So in terms -- you don't know who wore it,  
 11 when it was worn, anything other than what was  
 12 testified to in the arbitration; is that right?

13 A Well, I did see at -- one time I did see a  
 14 T-shirt. One of the stock clerks -- some black  
 15 Muslims wore T-shirts and the hats, but I didn't  
 16 find it really -- it didn't bother me. The Malcolm  
 17 X T-shirt did not bother me at all. I never  
 18 complained about it.

19 Q Let me ask you to look at a series of  
 20 documents which are copies of exhibits from the  
 21 arbitration that depict various T-shirts that  
 22 witnesses testified they have worn to work that were  
 23 offered in support of your case in the arbitration.  
 24 I hand you what's been marked as Defendant's Exhibit  
 25 23. Here's Defendant's Exhibit 23. Do you

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1 recognize that exhibit, sir?

2 A Yes, I do. It's one of the T-shirts that were  
 3 presented at the arbitration.

4 Q Were you present when the testimony was given  
 5 about this T-shirt?

6 A I was present when this was shown.

7 Q Does this T-shirt in your mind have anything  
 8 to do with white supremacy or racial cleansing?

9 A Well, it shows obnoxious, very obnoxious  
 10 wording in it that would probably be very, very  
 11 offensive to a lot of people, especially the  
 12 Christian people and the Muslims.

13 Q You're an intellectual man. You wouldn't  
 14 disagree with me, would you, that this is by no  
 15 means on par with The Turner Diaries T-shirt?

16 A It doesn't show any racist or supremacist  
 17 meaning. Its just kind of a bar-type T-shirt I  
 18 guess.

19 Q Might be crude but it doesn't talk about  
 20 killing people, does it?

21 A No, it doesn't say anything about that. It's  
 22 just very crude, obnoxious.

23 Q I hand you what's marked as Defendant's  
 24 Exhibit 24. I apologize. Once these exhibits get  
 25 copied so many times, sometimes they're hard to

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1 read, but I believe it shows some mice in a  
 2 mousetrap and one of them's neck is stuck in the  
 3 trap and says when you're down and out, everyone  
 4 wants to screw you. Were you present when the  
 5 testimony was given regarding this T-shirt?

6 A Yes, I was.

7 Q And the person that wore that T-shirt  
 8 admitted, did he not, that it had nothing to do  
 9 racial violence or cleansing?

10 A No. It's just very uncouth. I mean it's not  
 11 a very -- it would be very offensive to a Christian  
 12 or somebody that had a lot of ethics, morale.

13 Q Because of the word screw?

14 A Yeah, the meaning of it, yeah.

15 Q And as before, this isn't anywhere near on  
 16 with the message that The Turner Diaries book says  
 17 is it?

18 A The Turner Diaries book, right, but the  
 19 T-shirt is just strictly anti-gun as far as I can  
 20 see.

21 Q But, you know, as you testified earlier today  
 22 if somebody knows --

23 A If they had read the book, right, right, if  
 24 they read the book, yeah.

25 Q Defendant's Exhibit 25, there's a series of

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1 these T-shirts that were introduced and I'll call  
 2 them the big Johnson T-shirts. Do you recall what  
 3 had this collection of T-shirts?

4 A Who wore this T-shirt? I don't know who wore  
 5 these T-shirts, what individuals. It was just  
 6 presented, people that had been told to go home  
 7 change or take the T-shirt off or whatever.

8 Q This has sexual connotation to it; right?

9 A Yeah. I would say if you were familiar with  
 10 this term, right, it would have a sexual context.

11 Q But it doesn't have anything to do with murder  
 12 or racial violence, does it?

13 A No. Just a sexual type T-shirt thing.

14 Q As before, it's certainly not on par with The  
 15 Turner Diaries T-shirt, is it?

16 A Not quite. As a matter of fact, it's very  
 17 small. You would have to be right up front to see  
 18 this. That's a very small writing on that T-shirt.

19 Q Defendant's Exhibit 26, do you recall that  
 20 T-shirt being offered in evidence at your  
 21 arbitration?

22 A That's another sexual, very sexist type  
 23 T-shirt. It could be offensive to certain people.  
 24 Q Certainly not on par with The Turner Diaries  
 25 and systematic killing of Jews and non-whites, is

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1 it?

2 A Not quite, but it's still offensive.

3 Q Defendant's Exhibit 27, same question. Is  
4 there any basis that you can give me that this is  
5 anywhere of the same caliber in offensiveness with  
6 regard to racial violence and intimidation as The  
7 Turner Diaries?

8 A It's the same. It's obnoxious and very  
9 sexist, but it's not quite the same as Turner, not  
10 the same type of T-shirt.

11 Q Not the same message, is it?

12 A Well, like I said, the message in the T-shirt  
13 is different than the book, but that's my opinion.

14 Q Same series of questions to Exhibit 28. Would  
15 you admit, sir, that while this may have a sexual  
16 context to it, it doesn't send a message of racial  
17 violence and intimidation?

18 A Right. It's strictly a sexual type message.

19 Q Defendant's Exhibit 29, would you also agree  
20 that that T-shirt isn't in any way close to the  
21 message that's given by The Turner Diaries?

22 A This is a biker-type T-shirt, yeah.

23 Q Not even in the same league, is it?

24 A It's a different T-shirt, right.

25 Q Finally, Defendant's Exhibit 30, a T-shirt

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1 mixed Mediterranean and French. She was not what  
2 you would call Aryan or a totally white person.

3 Q Other than that, are they all Aryan or total  
4 white?

5 A Yeah.

6 Q Do you recognize that several of the persons  
7 depicted in this flyer are believed to have white  
8 supremacist or anti-Semitic views?

9 A I don't think Amelia Earhart is. I don't know  
10 of anybody -- I don't think the Wright Brothers  
11 were. The Semitic people are also Arab people.  
12 Semitic people are also Arabs, so when you say  
13 anti-Semitic, I assume you're talking about Arabs  
14 and Israelis and Hebrews. I don't know of anybody  
15 here that's -- that has those ideologies at all.

16 Q Let me talk about the mechanics of the  
17 preparation of this. You said you went to the  
18 library and looked some things up and made some  
19 copies. Is the first page of Defendant's Exhibit  
20 a copy of a page of an existing book?

21 A It's a copy of a book called Who's Who of  
22 Aviation at the Central Library in Tulsa, a very  
23 very complete compilation of history of aviation  
24 from its inception all the way to the present day.

25 Basically I went to the older areas of the pioneer

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1 from what's purported to be a gentleman's club in  
2 Tulsa, Oklahoma. That doesn't send any message of  
3 racial violence, does it?

4 A No. It's a sexual type of advertisement  
5 there.

6 Q From the point in time that you authored and  
7 had the pamphlet distributed that began this series  
8 of events, have you ever apologized for doing that?

9 A Are we referring to T-shirt or the literature?

10 Q Starting with the literature.

11 A No. I never apologized for actually producing  
12 it because I saw nothing wrong with the content of  
13 the literature.

14 Q I hand you the pamphlet, Defendant's Exhibit  
15 12. Mr. Mahon, is this in fact a copy of the  
16 pamphlet that you authored and gave to the Caucasian  
17 employee resource group to be handed out at the  
18 diversity fair?

19 A That it is. That's a copy of it.

20 Q I know you've been questioned at length or  
21 questioned about it in various contexts at length,  
22 so let me just see if I can summarize some of that  
23 testimony. Each of the aviators shown in this  
24 pamphlet are Caucasian; correct?

25 A Actually not. This Helene Dutrieu, she was

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1 noun. It's a proper pronoun, so that would be  
 2 normally capitalized because that's considered --  
 3 white race is a connotation of a people. So if  
 4 there's any kind of message, there was no message  
 5 there. It was just the proper pronoun, the way I  
 6 was taught in school to write letters.

7 Q Immediately following sentence, the second  
 8 word of it is race, is it not?

9 A Yeah.

10 Q It's not capitalized, is it?

11 A Looks like it is.

12 Q Check again.

13 A I can't read it that well. Yes, it is, you're  
 14 right. It's capitalized.

15 Q So you typed it. Were you alone when you  
 16 typed it?

17 A Yeah. As bad of a typist I am, I did type it.

18 Q Were you at your house?

19 A I have an old typewriter that still works.

20 Q And once you had assembled the pictures, did  
 21 you make those copies of the --

22 A The copies of the --

23 Q Of the pictures at the library and then bring  
 24 them home and type on it?

25 A Right. That's what I did. I got the pictures  
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1 at the library. I cut the pictures out and then I  
 2 basically -- when I got done with it, laid them out  
 3 and went to Kinko's and I Kinko'd it and made about  
 4 25 copies each.

5 Q I find this interesting because it was news to  
 6 me. You testified that you were pressured into  
 7 doing this?

8 A Right. She --

9 Q She being Linda Dill?

10 A Yeah, Linda mainly. She called me on a  
 11 Tuesday and said I've got to have this stuff by  
 12 Thursday, and I told her, I said that's going to be  
 13 awful hard to do. I said, number one, no  
 14 guidelines; number two, I'll have to take a vacation  
 15 day to do it because I'm so busy. As I said, I ran  
 16 an appliance repair business at the time and I was  
 17 hard pressed. I said I'll try to do it, and I went  
 18 to the library early and got it done, but I packaged  
 19 them up and put down please proofread because I had  
 20 to give it to the people at the fair.

21 Q Who did you give these packages -- you said  
 22 there were two packages of these?

23 A Yeah. Because they were going to be set up at  
 24 the -- let's see. Two different buildings on the  
 25 compound. Linda Dill had one area and Craig Nichols

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1 had the other area, so I gave one for her and she  
 2 said to give one to Nichols. So there's just two  
 3 and both the manila envelopes did -- I put down  
 4 a heavy black grease pencil please proofread.  
 5 Q Do those envelopes still exist as far as you  
 6 know?

7 A No. Because I gave them -- I gave the  
 8 envelopes to them. I said please proofread because  
 9 I'm not sure about this literature, so --

10 Q You testified Linda Dill pressured you. Did  
 11 she do that in person; did she call you on the  
 12 phone; how did that come about?

13 A She did that at the last meeting before the  
 14 fair. She said are you going to have this  
 15 literature done, and that's when she told me to do  
 16 some literature based on aviation because I told  
 17 I'm an aviation nut; I'm a tremendous aviation  
 18 historian and I like looking into the early days  
 19 of aviation, and then she called me again Tuesday and  
 20 then she called me Wednesday to see if I was going  
 21 to have the stuff done. So I got two other calls  
 22 between the time she initially charged me with doing  
 23 this job for her.

24 Q From the time you were charged to do it until  
 25 the time you produced it, was it roughly a week?

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1 how long was it?

2 A The last meeting was -- well, the meeting  
 3 before the last meeting, it was about approximate  
 4 three or four weeks I think. At first I didn't tell  
 5 her seriously. She's -- you know how people talk  
 6 and not mean anything, but when she started calling  
 7 me up and asking me about this, I realized she is  
 8 pretty serious about it, and both times I said I  
 9 have no guidelines; I have no idea what you want,  
 10 and she said just do something as pertains to  
 11 aviation as it pertains to white people. That's  
 12 what she said. I said, well --

13 Q Do you believe she had some discriminatory  
 14 supremacist motive in asking you to do it that way?

15 A I don't really know. I know her supervisor,  
 16 the manager of her area was totally against them  
 17 starting this group. Linda Dill and Craig are from  
 18 the same work area.

19 Q APU shop?

20 A APU shop.

21 Q And were they trying to say told you so or --

22 A No, I have no idea. I just know later on I  
 23 found out this gentleman was really against anything  
 24 they were doing.

25 Q At the first meeting that you've described  
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1 where you were asked to prepare this, there's been  
 2 testimony that -- it was given by Mr. Kelly and  
 3 written down at the time of the events to the effect  
 4 that you told the members there that were  
 5 participating in the conversation that your brother,  
 6 Dennis, was good at doing this kind of stuff and did  
 7 you want it wild or mild. You've heard that before,  
 8 haven't you?

9 A I never said that at all.

10 Q What did you say?

11 A I think I may have said I may have to borrow  
 12 my brother's typewriter to get this done. He was  
 13 actually out of town those two days.

14 Q The two days that it was prepared; right?

15 A Yeah, two days I prepared it, and he didn't  
 16 come back until after this whole thing went down.  
 17 He was gone.

18 Q Did you say or use the phrase do you want it  
 19 wild or mild?

20 A No, I never said anything like that. That has  
 21 to be fabrication. No.

22 Q In the meeting -- strike that. When you first  
 23 attended a Caucasian employee resource meeting and  
 24 you've testified that you expressed to those persons  
 25 whether they thought it would be a problem with you

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1 joining the group, tell me in as exact detail as you  
 2 can exactly what that conversation was.

3 A Okay. I went to the APU shop and I talked to  
 4 Linda and Craig, and I said, well, what you guys are  
 5 doing you are going to be watched very closely and  
 6 you need to watch every step you do, and he said,  
 7 well, we've got a real good group of people who  
 8 joined, and I said, well, I probably shouldn't  
 9 really join, and she said absolutely no problem, we  
 10 would love to have you, come to a meeting, and I was  
 11 invited to a meeting, and I said I'll try to make  
 12 the next meeting, which I did. That's exactly what  
 13 she said, no problem at all. I did mention about my  
 14 brother's politics, that he ran for mayor and he is  
 15 kind of controversial, and she said no problem.

16 Q Did you ever tell Linda or whoever you were  
 17 talking to at the time that your family had been  
 18 investigated in the Oklahoma City bombing?

19 A I wasn't ever investigated. Dennis was. He  
 20 went to two Oklahoma City grand jury investigations.  
 21 He was found absolutely no involvement by the FBI  
 22 and ATF. All the investigative agencies, after a  
 23 thorough investigation, found no involvement.

24 Q What I'm trying to establish --

25 A I never did tell her that.

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1 Q -- is not the truth of that. I'm trying to  
 2 establish what the exchange was.  
 3 A I never mentioned that because it was past  
 4 history. This is 1999.  
 5 Q In the context of the propriety of your joining  
 6 and whether that would cause problems for the group,  
 7 did you give any information about your brother's  
 8 his views or your concerns that the company would  
 9 scrutinize that group as a result of you being a  
 10 member?

11 A Yeah, I did say that. I said because of my  
 12 brother's politics and he's run for mayor and he is  
 13 quite controversial, I said I really shouldn't  
 14 your group, but she said come to a meeting, no  
 15 problem.

16 Q And was the next meeting where they asked  
 17 to prepare the pamphlet?

18 A Next meeting they brought up the diversity  
 19 fair and -- the first meeting I didn't join. The  
 20 next meeting is when I joined, and that's when she  
 21 asked me about making some literature for the  
 22 upcoming diversity fair, and that's when she started  
 23 putting the pressure on me to do this literature.

24 Q When she asked you to do this and started  
 25 putting pressure on you to do it, did you understand

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1 this literature was going to be distributed in  
 2 workplace?

3 A At the diversity fair, yes. She mentioned  
 4 many other groups have their own individual  
 5 literature, too.

6 Q Let me direct your attention to Defendant  
 7 Exhibit 10, and while she is doing that, let me  
 8 you this question: Did Linda Dill, Craig Nichols,  
 9 any of the other leaders of the group ever tell  
 10 their views on what the purpose of the group was  
 11 for?

12 A At the minutes of the meetings, all they would  
 13 talk about is what their concerns were concerning  
 14 different things. They never did say -- other  
 15 the piece of literature that they first had for  
 16 diversity group functions, they never harped on  
 17 too much. Basically they got into the meat of  
 18 meetings, the latest controversies that were going  
 19 on in the shops and just the usual stuff people  
 20 about. There wasn't anything heavy that I could  
 21 detect. There was some controversy about the  
 22 homosexual group getting \$75,000 from the company  
 23 when nobody else did. That was a big, big issue  
 24 the last meeting but that's the only thing I  
 25 remember getting a lot of information on or

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1 controversy about.

2 Q And these meetings would last what, 40, 50  
3 minutes?

4 A Oh, 45 minutes to an hour seems like.

5 Q In the course of that meeting, those meetings  
6 that you attended, were there issues discussed about  
7 people's perceptions that the company's efforts at  
8 diversity had gone too far?9 A I don't really recall. It's been so long, but  
10 they basically said what the other diversity groups  
11 are up to and what they're allowed to do and things  
12 that were happening in the diversity council. For  
13 instance, they talked about picnics that people were  
14 having, and they talked about the Muslims being  
15 allowed to have their meetings at the library, one  
16 of the libraries downtown for extra room, just  
17 general type things that were going on within the  
18 diversity council and the other groups, nothing  
19 hatred or condescending or in any way you could call  
20 supremacist that I could detect.21 Q I apologize if I've asked you this. I don't  
22 think I have. What caused you to join the Caucasian  
23 employee resource group?24 A I was talked into it. Linda is a very  
25 charming and very persuasive lady, and I said I do

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1 have a lot of videos on aviation, a lot of  
2 documentaries on some of the aviation greats of the  
3 country, documentary on Wright brothers, all these  
4 different things I could have brought in and shown  
5 to people, just things concerning the aviation  
6 industry, a lot of models I could show and pictures  
7 and frames, just general aviation stuff, plane talk.8 Q As I understand your testimony, though, the  
9 first contact with that group with Linda Dill was  
10 made by you; is that right?11 A What happened is -- I don't know how I found  
12 out where they were located. I have no idea how --  
13 I don't really know how because I went to the APU  
14 shop and I didn't know that was where they were -- I  
15 had no idea that's where they were at, but somebody  
16 must have found a piece of literature someplace.  
17 That's what it must have been. I must have found  
18 her flyer, initial flyer, and I did contact them,  
19 and I wanted to give some warning about the  
20 possibility of management watching them. I said you  
21 are being very watched by -- look at all the  
22 management who show up at your meetings. So you  
23 need to be really kind of careful of where you tread  
24 and be advised that you're being monitored very  
25 closely, which I think was pretty good advice

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1 anyway, and then she persuaded me, just come to  
2 of our meetings and find out what we were all about  
3 and I said, well, I wouldn't mind doing that, just  
4 to check you out but, like I said, this group was  
5 operation six months before I even had any idea  
6 even checking into it at all.7 Q Defendant's Exhibit 10, is this the initial  
8 flyer that you saw that caused you to start checking  
9 into the Caucasian employee resource group?10 A Yeah. This is probably one I found up on  
11 bulletin board. This is probably it.12 Q The back side of the bottom right-hand corner  
13 states that employee resource groups must show  
14 consistency with AMR goals and the diversity ad-  
15 council's visions, goals and objectives; do you  
16 think that?

17 A Right, I see that.

18 Q And that the group must support company  
19 policies on a harassment-free workplace and  
20 non-discrimination?

21 A Yeah, that's there.

22 Q Did you agree that as a condition of joining  
23 one of these groups to support those two issues?24 A Sure. It's part of the deal, to be proud  
25 who you are and not put anybody else down; just

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1 be aware and have some pride of being. That's  
2 it.3 Q I hand you what's been marked as Defendant's  
4 Exhibit 7. While she's doing that, the company's  
5 efforts at eradicating discrimination and prom-  
6 a diverse and harassment-free environment had  
7 been going on for a number of years; right?

8 A It's been a policy a long time.

9 Q There had been training done by the company

10 right?

11 A Training, I don't know about training. We  
12 never saw videos or anything like that, nothing  
13 would call formal training, no.14 Q You're aware the company had a written policy  
15 against unlawful harassment?

16 A Yeah. We were forced to sign that.

17 Q I hand you what's marked as Defendant's  
18 Exhibit 7. Is that one example of a written policy  
19 against unlawful harassment?20 A Right. We were all basically forced to sign  
21 it, required signature.

22 Q Did you object to signing it?

23 A Well, some of the supervisors -- some of  
24 union guys said you didn't have to, but I saw  
25 nothing in there that would hurt me or hurt an

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1 else, so I signed it. Everybody else signed it.  
 2 Q Look at the second page of Exhibit 7. My  
 3 understanding is that you refused to sign this; is  
 4 that correct?  
 5 A Chose not to sign. Why did I sign it then?  
 6 My signature is on here?  
 7 Q That's just your name handwritten.  
 8 A No. That's where we had to sign it. That was  
 9 a signature.  
 10 Q Do we need to go back and look at a signature?  
 11 Is that your signature or just your name printed  
 12 out?  
 13 A Probably my name. It look -- it's not my  
 14 signature, but why would something be on there?  
 15 Q Do you recall refusing to sign this document  
 16 for fear that it might come back to haunt you later.  
 17 A What date was it here?  
 18 Q This document is a 1995 document.  
 19 A '95.  
 20 Q February 6th, 1995.  
 21 A Well, I remember reading it, but I might have  
 22 refused to sign it because a lot of people said it's  
 23 a lot of vague statements in here.  
 24 Q Did you understand that the anti-harassment  
 25 policy included not harassing somebody because of

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1 their race or religion, national origin, ancestry,  
 2 et cetera?  
 3 A Yeah. Well, I think I chose not to sign it  
 4 because we already signed previous documents  
 5 concerning this. Plus this is a company regulation,  
 6 too. It's part of the company, the employee  
 7 handbook, and it's also in the company procedural  
 8 manual. So I think the reason I refused to sign it,  
 9 basically because it's already part of the company's  
 10 policy.  
 11 Q Did you understand that if you unlawfully  
 12 harassed somebody because of their race, national  
 13 origin and et cetera, that your employment could be  
 14 terminated?  
 15 A Oh, absolutely. If I went on my way and  
 16 threatened anybody or caused a threat of any kind,  
 17 physical, absolutely, and there's been many people  
 18 fired recently since I've been fired Pof that  
 19 reason, threatening notes on people's toolboxes, and  
 20 I understand they all got their jobs back because  
 21 they didn't really receive counseling but,  
 22 absolutely, if there's a threat made, vandalism,  
 23 anything like that, sure, you should be fired.  
 24 Q In your opinion does the threat have to be  
 25 verbal?

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1 A Well, it has to be a direct implied threat  
 2 yeah. If you get in somebody's face and say I'm  
 3 going to hurt you, a threatening phone call to  
 4 house, yeah, absolutely, that's threatening. I  
 5 criminal offense actually.  
 6 Q I hand you what's been marked as Defendant  
 7 Exhibit No. 8. Defendant's 8, sir, do you recall  
 8 that as a written policy of American Airlines  
 9 involving work environment in general and  
 10 specifically on policies against discrimination  
 11 harassment?  
 12 A I don't recall ever seeing this before, but  
 13 when did this come out? What date did this  
 14 publication come out? There it is. 11 --  
 15 Q -- 1-1999.  
 16 A That's way after I was terminated.  
 17 Q I othetask it differently. You're aware of  
 18 for quite sometime the company had a written po  
 19 against harassment and intimidation?  
 20 A It's in there in the procedural manual, the  
 21 rules of conduct, yeah, but this came out after  
 22 fact.  
 23 Q Some kind of clean-up questions. As it  
 24 respects the April 20, 1999 meeting where you  
 25 The Turner Diaries T-shirt, did anybody call you

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1 either warn you or ask you not to come to that  
 2 meeting?  
 3 A I didn't receive any calls about it on my  
 4 phone. I didn't have a cell phone at the time  
 5 don't recall ever getting a phone call saying  
 6 meeting was even taking place. I got a phone  
 7 about the problem with the literature twice on  
 8 Q From whom?  
 9 A Linda.  
 10 Q Both times from Linda?  
 11 A I think once from Linda one day and the  
 12 was from Craig; I'm pretty sure it was Craig.  
 13 said we've got a problem with the literature a  
 14 we're thinking about disbanding the group. I  
 15 well, shouldn't be anything with it; I said an  
 16 going to get fired. He said no, and I said do  
 17 worry about it because I thought it was a pass  
 18 fluke.  
 19 Q Were the two phone calls fairly close in  
 20 to the actual diversity fair?  
 21 A They were -- it was -- actually one was a  
 22 diversity fair.  
 23 Q It caused quite a stir that very day?  
 24 A Yeah. Actually that afternoon is when I  
 25 started getting the calls, late afternoon before

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1 went to work, but then the next day I got a call,  
2 too.

3 Q Did either of the two calls from Dill or  
4 Nichols you've just described warn you or ask you  
5 not to attend any more meetings because of the  
6 problems it might make?

7 A No. They just said they were going to have a  
8 meeting with Greg Hall, and I asked if I should come  
9 to that meeting that afternoon or that next day, the  
10 next morning, and I said, well, do you think I ought  
11 to come and she said no, no, no, just let this thing  
12 die; I said okay, I won't come. That's the meeting  
13 I thought they were referring to when they said the  
14 meeting with him, with him, Greg Hall, HR and a lot  
15 of other people in management.

16 Q I understand now. That clears that up. After  
17 the meeting with Greg Hall, did anybody report to  
18 you what had happened, what he said, things of that  
19 nature?

20 A Well, she called back and said they're  
21 thinking about canceling the group and the big  
22 concern about the literature and that's about it.  
23 She said -- I said is anybody getting threatened  
24 with being fired and she said no; they just want to  
25 stop the group from functioning for awhile.

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1 Q Did either Linda Dill, Craig Nichols or any of  
2 the other leaders of the group ever advise you that  
3 they felt like the pamphlet you had made, what is  
4 Exhibit 12, had gone too far?

5 A No. Even Linda said, she said we find nothing  
6 wrong with it, with the literature. Even Flora  
7 Washington at the arbitration, she heads up the  
8 diversity action -- activity council in Dallas, said  
9 she found nothing inherently hatred about the  
10 literature. So the group, Linda Dill and Craig said  
11 they didn't find anything wrong with it because they  
12 both read it and they said they put it out and they  
13 could see nothing wrong distributed in the  
14 literature.

15 Q These gun shows that you go to from time to  
16 time, do you actually work at the gun shows?

17 A You mean work for Wanamaker or just set up and  
18 show?

19 Q Set up.

20 A Yeah. I set up until about '92 or '91 is the  
21 last time I set up.

22 Q What type of booth did you set up?

23 A I used to have a diversified table, everything  
24 from old holsters to World War II memorabilia.

25 Q Nazi stuff?

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1 A Well, there's no Nazi -- if you call it Ge  
2 collectable knives, yeah, daggers. Luftwaffe,  
3 of that early Luftwaffe, SS, were extremely  
4 valuable. Original condition could run up to a  
5 thousand dollars. I did have a few ones that w  
6 in bad conditions that I had that I was collect  
7 but it was mainly everything. You name it. I  
8 lot of stuff.

9 Q Was there a business name that you went un  
10 A No. Just personal name, a table. You hav  
11 table and reserve a table and you just pay it a  
12 use it for a weekend. I think my last time was  
13 is the last time I set up at a gun show.

14 Q Regardless of whether you agree with it or  
15 not, whether it's factually accurate, would you  
16 admit that prior to your termination and before  
17 actually the whole events about the pamphlets  
18 started, that over a period of time you had bee  
19 suspected by American and talked to about bring  
20 white supremacist ideas into the workplace?

21 A Nobody ever actually talked to me about  
22 anything like that. Of course, you know, there  
23 absolutely no evidence of any recruiting inform  
24 ever been taken in to American. Like I said, m  
25 of the guys in my crew, I've had people all rac

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1 I've worked with and they've all enjoyed my com  
2 I've gone the extra mile for these people. I n  
3 had an altercation or argument based on race,  
4 basically politics, talked a lot about Clinton  
5 the election things.

6 I was a pretty busy body. When I got to w  
7 there was plenty of work to keep me busy. I di  
8 a lot of TV and VCR work on slow days, but ther  
9 absolutely no inclination to even think about o  
10 anything like that on the job.

11 Q But the company asked you about it; right?  
12 had been taken to HR, interviewed, questioned a  
13 wearing various paraphernalia to work?

14 A What I remember in HR is when a lady's car  
15 vandalized and I was brought in there, and ther  
16 an FBI agent that talked to me about some thi  
17 and that's the only thing I really remember of  
18 importance.

19 Q Do you remember the testimony at the  
20 arbitration by one of your co-workers that he h  
21 observed you wearing a KKK hat and belt buckle?

22 A I never wore anything at work that had KKK  
23 Swastika or anything written on it, never, neve  
24 anything that said KKK on it.

25 Q Is that witness mistaken then in his

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1 testimony?

2 A Well, he may have saw something but I had  
3 nothing that actually said KKK or Ku Klux Klan  
4 written on it.5 Q Let's not mince words. Did you have anything  
6 that to a person educated in those particular areas  
7 would recognize as a symbol of the KKK?8 A I wore a hat with a rebel flag and if you want  
9 -- people may construe that and there are still  
10 people who think that that and KKK are one and the  
11 same.12 Q What about the belt buckle; what did it have  
13 on it?14 A No belt buckles. I had one with an NRA and I  
15 had one with a gun, a 45 automatic that would clip  
16 on, and I had one, a Scottish cross, and that was  
17 all I remember wearing. I had one that had my name  
18 on it I wore for a long time; it had Dan on it, but  
19 I don't know too many people that pay attention to  
20 belt buckles. I don't know too many people walking  
21 around looking down.22 Q Before we take our lunch break, I need to  
23 satisfy some curiosity. Between the day of your  
24 discharge and the date that you left town to go to  
25 work for Aero Taxi in Rockford, you've listed in

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1 your answers to our interrogatories, and feel free  
2 to refer to them if you want; they are Exhibit 3.  
3 You indicated that your employment was White Beret;  
4 is that correct?5 A Yeah, White Beret Enterprises. We did car  
6 repair, electronics repair, household repair,  
7 general type repair work.8 Q I hand you Defendant's Exhibit 13 if you need  
9 to refresh your recollection. When you say we did  
10 repair, who are you referring to?

11 A Excuse me. I'm sorry. I was looking.

12 Q When you were saying that we did repair work  
13 in the context of White Beret, who are you referring  
14 to?15 A My brother and I both worked together on  
16 things.17 Q And is White Beret Enterprises an actual  
18 company; is it just a name you do business under?19 A It's just a name that we just did business  
20 under because it was a unique name. There's a White  
21 Hat Cleaners in town. It's a nation-wide franchise  
22 that they also call themselves the White Hat  
23 Cleaners. I mean White Beret is -- the Army used a  
24 beret for many years as an intelligence, elite  
25 intelligence unit, and we thought it would be kind

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1 of cool.

2 Q How long had you and your brother done  
3 business from time to time as White Beret  
4 Enterprises?5 A Actually when I got fired, that's when we  
6 really went big on it.

7 Q How about before then?

8 A Before then it was just stuff at American,  
9 repair work. I was just too busy to do that.10 Q I'm talking about the use of the term Whit  
11 Beret Enterprises. How long had that been going12 A Well, I guess since about 1990, about 1997  
13 guess, around there, '96, '97. I used to do a  
14 of work for people at the company.15 Q Is there any significance to the term Whit  
16 Beret?

17 A No. Just cliché.

18 Q Didn't stand for anything?

19 A White Hat Cleaners, same thing, just White  
20 Beret.21 Q I'll hand you an exhibit that was marked a  
22 introduced in your arbitration, which is now  
23 Defendant's Exhibit 32. I take it you recognize  
24 that document, don't you, sir?

25 A My brother put that out back in the '80's.

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1 Approximately a year after that, yeah, October  
2 1990, he gave it up.3 Q And it's a publication called the White Be  
4 correct?5 A Yeah. That wasn't White Beret Enterprises  
6 We just called it that.7 Q Is that the same usage you had when you wo  
8 under that company or that trade name after you  
9 terminated?10 A No, I don't think so. I think it was just  
11 coincidence more than anything. It had no raci  
12 connotation at all because I did a lot of repai  
13 work for -- I lived in a mixed neighborhood in  
14 Tulsa and most of my clients were African Ameri  
15 or Mexican American, so they had no problem wit16 Q Second page of Exhibit 32 under white patr  
17 of the month, you're familiar with that paragra  
18 are you not?

19 A Uh-huh.

20 Q Do you deny -- strike that. Before we go,  
21 wrote this pamphlet?22 A At that time I think it was a guy by the n  
23 of Jim Moran. Is this Oklahoma or Missouri? I  
24 doesn't say, does it? Kansas City. It's all f  
25 Kansas City, these clippings here.

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1 Q Was your brother involved in writing this at  
2 the time?

3 A No, I don't think so because he was -- in 1990  
4 he quit putting these out a long time before then.

5 Q Look at the second page, bottom right-hand  
6 corner and see if you don't recognize the signature  
7 D. W. Mahon.

8 A Okay. Maybe he did, okay. Must have been the  
9 last one because he quit putting this out very  
10 shortly after that.

11 Q This particular version of publication  
12 attributes to a Daniel M; is that you, Daniel M, top  
13 right, excuse me, top second page, white patriot of  
14 the month?

15 A Yeah, that's me.

16 Q That's you?

17 A Yeah.

18 Q It claims there that you've given tremendous  
19 efforts in the financial support of the struggle; is  
20 that true?

21 A Well, not really. It was basically the  
22 equipment. The camcorder was a \$1,500 camcorder,  
23 but I did weddings and parties and everything else,  
24 and PA system was about 50 bucks. I rebuilt it,  
25 but --

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1 Q Did you supply a portable generator?

2 A Yeah. I've had that for a long time.

3 Q Did you supply a large tent for the rally in  
4 Oklahoma On September 23rd?

5 A Again, I've had that for a long time. I do a  
6 lot of camping out, so that's, you know --

7 Q There's a reference in here, quote, Daniel  
8 also built the cross, closed that. Is that the KKK  
9 cross that was used at that rally?

10 A Yeah. I may have supplied the hardware for it  
11 but that's -- other people built it.

12 Q It says you built it. Is that an untruth?

13 A I think that's an untruth because I don't  
14 think I'm going to be able to drive it down the road  
15 with my little 1990 Buick. A little pickup truck  
16 with a huge cross in the back would look a little  
17 unusual.

18 Q It also says you have a large collection of  
19 Klan and national socialist white power merchandise;  
20 is that true?

21 A Basically all collectable stuff, yeah. It's  
22 national socialist World War II paraphernalia, yeah,  
23 the old German bayonets and things, rifles, because  
24 I am kind of into that historical context. All that  
25 stuff is pretty valuable. So I did have some

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1 collections of those things.

2 Q Do you have a large collection of Klan  
3 material?

4 A I had some antique Klan -- back in the '20  
5 they got various collectors and I also sold Tay  
6 cutlery, the little novelty knives for \$4, which  
7 made \$2 apiece on, and actually made in Japan, I  
8 also had a king knife and some Israeli officer  
9 knives. I had a lot of collectable things that  
10 people -- that I would buy and sell and make mon-

11 Q Is it true that you also supplied many white  
12 resistance group with T-shirts?

13 A No. A lot of people sell on my table at the  
14 gun shows and I charged them \$2 apiece for the  
15 T-shirts I sold for them, so I made a little mon-  
16 on it and they were novelty items, strictly nov-  
17 People would buy them and say, oh, look what I  
18 and they could show it to their friends and say  
19 cool, where did you get that. You know, it's a  
20 novelty. As a matter of fact, the best knife I  
21 was a black crew chief for another company and  
22 polished it up with black gold and he was real  
23 to get it, just as a conversation piece.

24 Q At the time that this article was written  
25 the events that are described in it occurred, y-

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1 were employed by American Airlines; true?

2 A Yeah, I was still with American Airlines.  
3 Q Did you ever make any effort to retract or  
4 tell the readers of this publication that your  
5 brother had said untrue things about you in this  
6 document?

7 A Well, nobody at American got this document.  
8 This is a very small coverage. I think only 10  
9 people in the whole country got this, if that.  
10 It's not something you would buy at a local tab-  
11 distributorship. So nobody at American would have  
12 ever seen this. To my knowledge nobody would have  
13 known it.

14 Q My question was different. Did you ever make  
15 an attempt to reach the audience of this letter  
16 tell them what your brother had said about you  
17 not true?

18 A Not really because I didn't think it was a  
19 big issue. It doesn't say I'm a white patriot.  
20 It doesn't say I'm a member or activist, just talk  
21 about it a little bit and that was it.

22 MR. CORDELL: Let's go ahead and take our  
23 lunch break.

24 (Following a lunch recess at 12:26 p.m., proceedings continued on the Record at 2:

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1 p.m.)  
 2 Q Mr. Mahon, I direct your attention, if you  
 3 would, to Exhibit 5, your answers to our discovery,  
 4 the next one. I said 5. I meant Exhibit 3. I have  
 5 a few follow-up questions. Earlier in the  
 6 deposition I asked you about a doctor, Karen Bader.  
 7 Is that again the only doctor you've seen over the  
 8 last seven years?

9 A Last one I've seen basically in the last seven  
 10 years.

11 Q Would she be the only source of medical  
 12 evidence or testimony that you somehow suffered  
 13 physically or emotionally from your termination at  
 14 American?

15 A She's the only one I've actually had any time  
 16 in the last seven years. She's the only doctor I've  
 17 ever had since I was terminated.

18 Q Has part of her treatment of you had anything  
 19 to do with psychological counseling, treatment for  
 20 depression, chemical dependency, anything like that?

21 A No. It's strictly a chronic condition that  
 22 maybe it's just that desert atmosphere or maybe  
 23 anything. Who knows. It's just that it's gotten  
 24 worse since I was terminated.

25 Q And how do you describe the psoriasis; is it a  
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1 scaling of your hands?  
 2 A It's mainly on my hands. This is starting to  
 3 heal a little bit, but I've got scars on my knuckles  
 4 and sometimes in the middle of the summer it  
 5 actually gets in my palms. I can't grab tools very  
 6 good.

7 Q Cracking, dryness?

8 A Cracking and sores that won't heal very easy.  
 9 It's painful, but I'm under medication now and it  
 10 seems to help.

11 Q Good. Interrogatory No. 5, you were answering  
 12 questions about what you've done and how much you've  
 13 made since you left American. Do you know what your  
 14 current rate of pay and expected annual gross  
 15 earnings at Alaska Airlines?

16 A It's going to be the same as last year, about  
 17 42,000 before taxes.

18 Q Is that without bonuses, including overtime?  
 19 A We don't get overtime there. Don't get  
 20 overtime at all.

21 Q Does it factor in any bonuses you might get?  
 22 A No. We don't get bonuses. No profit sharing  
 23 as of yet.

24 Q What kind of health plans, if any, or benefit  
 25 plans do you get at Alaska Airlines?

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1 A Standard HMO and dental, 80 percent. The  
 2 dental I think is -- I think it's a deductible,  
 3 standard dental plan, Aetna, Aetna group.

4 Q And do you have flight privileges at Alaska?

5 A Yeah. Very good flight privileges, yes, I

6 Q Do you also have what is known in the industry  
 7 as DAL privileges, other airline?

8 A Yes, I do.

9 Q All right. So other than the difference in  
 10 what you were making at American as opposed to what  
 11 you're now making at Alaska, are the benefit  
 12 packages roughly the same?

13 A They're pretty similar. I was PacificCare  
 14 American and I'm with PacificCare here for my  
 15 health and Aetna is dental, but PacificCare. I'm  
 16 with the same type of program, same price.

17 Q Is your take-home pay or your gross earnings  
 18 governed by a contract; is it a union position?

19 A It's a union. We have AMFA. That's our  
 20 union. We're contractual.

21 Q Are you considered an AMT or what  
 22 classification do they use at that airline?

23 A I'm actually classified as an AV, avionics  
 24 tech, line mechanics, line avionics man.

25 Q So you work at a line station?

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1 A Yeah. I work up at Sky Harbor Airport,  
 2 midnight maintenance. We have three overnight  
 3 airplanes, and sometimes I'm there by myself, and  
 4 they go out mornings between 6:30 and 9:00.

5 Q Is that Phoenix?

6 A Sky Harbor Phoenix, Sky Harbor Airport, Sky  
 7 Harbor International Airport in Phoenix. We're  
 8 Terminal 2.

9 Q And roughly how far from your home or how  
 10 do you have to drive to get to your job?

11 A It's approximately eight and a half miles  
 12 total.

13 Q Eight and a half?

14 A Yeah.

15 Q So very close?

16 A Absolutely.

17 Q So basically you live in Phoenix?

18 A Well, Tempe is actually Tempe. It's actually  
 19 considered Tempe.

20 Q When you go over that one street, I can't  
 21 remember what it's called, you go into Tempe; right?

22 A Yeah. You do from Phoenix and Tempe and then  
 23 Tempe into Mesa on the same street. Street just  
 24 changes names. It gets confusing down there because  
 25 everything kind of runs into each other.

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1 Q You've indicated here from September of 2000  
 2 to February 2001, as we discussed, you worked for  
 3 Aero Taxi of Rockford. How much were you making  
 4 there?

5 A I was making 14.50 an hour.

6 Q Do the math for me. What does that work out  
 7 on an annual gross?

8 A I don't have a computer.

9 Q Do you remember approximately how much it was?  
 10 A I'd say 36,000 a year, something like that.

11 Q And that company shut down; right?

12 A Yeah. They went bankrupt for a pilot mistake.

13 Q Cause an air crash or something?

14 A No. They lost a contract with UPS and it  
 15 caused them some financial pain.

16 Q For the period of February 2001 until you went  
 17 to work at Alaska Airlines April 9, 2001, did you  
 18 stay in Rockford, Illinois?

19 A Right. They sent me a relocation check and I  
 20 left approximately last part of March of 2001, yeah,  
 21 March. I started working April 9th is my first day  
 22 I started.

23 Q So with the relocation check, et cetera,  
 24 basically did you have uninterrupted income during  
 25 that transaction?

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1 A Yeah, uninterrupted income.

2 Q Then we talked a little bit earlier about  
 3 working with White Beret Enterprises June '99 to  
 4 September 2000. How much did you make there?

5 A Oh, it was kind of an ad hoc business. I  
 6 would say maybe 15,000 at the time we were just  
 7 doing it. It was a short time.

8 Q Would that be actual cash money?

9 A Yeah.

10 Q Did you work for trade or --

11 A Yeah, I did a lot of barter work mainly. It's  
 12 hard to determine. I would say mainly 20,000. 20  
 13 would be pretty accurate.

14 Q The next page, 4, you have given us a list of  
 15 the various places you sought employment. In each  
 16 case you've indicated what you did to make contact  
 17 but you don't show here what the result was. UPS  
 18 Air, did you ever hear back from them?

19 A No, no response from them.

20 Q From any of these did you hear a response?

21 A Just United and Southwest, and Air Wisconsin  
 22 did an interview with. I got a card back from  
 23 Northwest, a card said that I was on their records  
 24 for six months. Midwest Express, I did an interview  
 25 with them. Horizon Air, no response. Airborne

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1 Express, no response.

2 Q Is it your contention in this case that  
 3 American Airlines in any way interfered with your  
 4 ability to get a job with another air carrier after  
 5 your termination?

6 A I don't believe there was any interference  
 7 all in that situation.

8 Q Let's talk a little bit about your witness  
 9 list beginning at Page 6. You've identified La  
 10 Poffen, P-O-F-F-E-N, as a former crew chief. What  
 11 do you expect Mr. Poffen to testify about?

12 A He was my crew chief for about eight years.  
 13 He taught me how to work on TV's. I spent a lot  
 14 of time with him learning TV repair. He would be  
 15 very good character witness about my performance  
 16 behavior on the job.

17 Q Does he have any to your knowledge from what  
 18 he's told you or you know, have any knowledge about  
 19 any comparable employees wearing a comparable  
 20 T-shirt and not getting fired for it?

21 A He retired back in '96 I believe, so he was  
 22 even an active employee at the time I had this  
 23 problem with American; however, he was my crew  
 24 for many, many years. He wouldn't probably know  
 25 anything about that.

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1 Q So he would fall in the category of a  
 2 character witness?

3 A Probably a character witness would be the  
 4 thing, yes.

5 Q What about Woody Ribbe?

6 A Woody Ribbe, yeah, he's my T-shirt man. He  
 7 the one I bought T-shirts from all the time.

8 Q T-shirt man?

9 A Yes. I bought at least 20 T-shirts from him  
 10 airline type T-shirts, nostalgic airline T-shir  
 11 advertising T-shirts, and --

12 Q But you didn't buy The Turner Diaries T-shir  
 13 from him?

14 A No. He just came by during lunchtime with  
 15 big bags of T-shirts and I bought several of them  
 16 because I'm an air aviation type person and he  
 17 lot of antique-looking things, so I bought them  
 18 He's a real good character witness. His Chinese

19 wife, I'm very familiar with. I've been to her  
 20 house numerous times and did some repair work for  
 21 them. He's still an active inspector out there  
 22 been there for 32 years, and I think he would be  
 23 excellent -- both character and verify my work

24 habits because he inspected a lot of my work.

25 Q From your perception of the arbitration an

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1 your understanding of what rules and regulations you  
 2 were accused of violating, did anybody ever take  
 3 issue with your work ability or quality?  
 4 A No one that I recall ever took issue with my  
 5 work. As a matter of fact, most of the people  
 6 praised my work. I helped make a training film out  
 7 there on my own time. Nothing but a lot of -- I'm  
 8 not saying I walk on water but most people didn't  
 9 have a problem with my work. They seemed to believe  
 10 I was a very good avionics man and I usually did a  
 11 good eight hour day for them.

12 Q For people who aren't familiar with the  
 13 industry, what is avionics; what did you do?  
 14 A Okay. Avionics is a real broad term. It's  
 15 basically aircraft electronics, and it involves  
 16 repair, servicing, maintaining and modifying  
 17 aircraft systems, basically anything on an airplane  
 18 that has a wire going to it, including the  
 19 navigation system, computers, lighting, hydraulic  
 20 control, flight control, pressurization,  
 21 instrumentation. Anything that's got to do with  
 22 instrumentation or any wiring at all in the airplane  
 23 is an avionicsman job. That's what I do today at  
 24 Alaska. The airplanes come in. I talk to the  
 25 pilots about any problem the aircraft may have, and

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1 sure it's done right, so that when a plane goes  
 2 very satisfied it's going to make a safe flight  
 3 Q Don Anderson, how does he fit into this?  
 4 A Don was my -- he was the other half of the  
 5 double D team.  
 6 Q The what?  
 7 A Double D team. His name is Don and, of  
 8 course, my name is Daniel. It goes back a long  
 9 time. Nobody would work with him on a crew for  
 10 long time. Nobody -- he was the kind of guy that  
 11 was kind of hard to get along with, but once I  
 12 chance to work with Don, I realized he was high  
 13 intelligent, highly motivated person, and we got  
 14 the point where we worked together all the time.  
 15 we got to be called the double D team and whenever  
 16 an airplane came in, what they call a drop-in, it  
 17 was an airplane that came -- in the fleet that  
 18 come in with a serious problem that needed to be  
 19 fixed at that time, which is overtime, and some  
 20 we would get it done in an hour, hour and a half.  
 21 So we had a reputation in the 727 product line,  
 22 I remember Don well. He's a wonderful person  
 23 to work with. I wish I was still working with him.  
 24 Q Does he have any personal knowledge as far  
 25 you know about a similarly situated person to

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1 yourself offering the flyer and wearing the T-s  
 2 A Don was off my dock at the time this event  
 3 took place. He became a crew chief on the adjo  
 4 working environment for the last, oh, last six  
 5 months I was there, although we took breaks tog  
 6 and saw each other quite a bit, but he was an a  
 7 race car driver and a hunter. So he never disc  
 8 much except for the airplane thing and the work  
 9 environment, things that were going on on the d  
 10 So he was just a real conscientious hard-workin  
 11 guy. Sometimes you couldn't stop him. He woul  
 12 want to work through breaks and lunch.  
 13 Q Violate that unwritten --  
 14 A Workaholic to the extreme.  
 15 Q Violate that unwritten union rule, huh?  
 16 A Yeah. Sometimes -- well, of course, I was  
 17 same way. I wanted to get things done and take  
 18 easy the rest of the night. Get things done pr  
 19 quickly.  
 20 Q So he would just testify about your work  
 21 habits and personality?  
 22 A Oh, yeah. He would be a good character  
 23 witness.  
 24 Q We need to make it easier on the court

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1 reporter to take turns speaking. Help me and I'll  
 2 help you. Mark Bass, who he is and how does he fit  
 3 into this?

4 A I just saw Mark Bass yesterday. He was my  
 5 supervisor for five years on the 727 line. He's an  
 6 ex-Marine, been around the whole world a lot, and he  
 7 was a real good supervisor, and he was fired a year  
 8 before I was terminated, and he is here in town. He  
 9 drives a truck for Schneider now. He just lost his  
 10 wife recently, and I took him out for dinner night  
 11 before last. Real nice man.

12 Q What did he get fired for?

13 A He never did exactly say why. It was a  
 14 conflict between him and a higher manager named Glen  
 15 Brock, and I never really did want to delve into it,  
 16 but it was a pretty painful thing. They just built  
 17 a home, but he's really a nice man. He was a good  
 18 supervisor, one of the best ones I ever had.

19 Q Category of character witness but without any  
 20 knowledge of other people wearing T-shirts and the  
 21 like?

22 A Well, he was gone the year before I had this  
 23 problem, so he would have no knowledge of this  
 24 situation. I would just say he was my boss, my  
 25 supervisor, and I was responsible to him with the

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1 job. He was my direct management over me.

2 Q Lynn and Roger Bloxham, those are the people  
 3 you stayed with last night?

4 A Yeah. Interesting. I stayed with them two  
 5 nights this week. They're Libertarian party. He's  
 6 running for a position in Tulsa County next year or  
 7 this coming election. Very articulate, educated  
 8 Libertarians. They've done a lot of good in the  
 9 community. I've known them for at least seven  
 10 years. Roger is an aviation enthusiast. He's  
 11 building a home-built airplane. I'm trying to help  
 12 him do things right, but he's a real good character  
 13 witness.

14 Q For those that aren't actively involved in  
 15 politics, what is a Libertarian as far as you know?

16 A Libertarian, oh, gosh, it's another broad  
 17 term. They're people that believe less government  
 18 is better than big government. They'd like to see  
 19 some of the drug laws liberalized. They're pro  
 20 Second Amendment, pro choice basically, basically  
 21 pro choice. They're even pro homosexual rights,  
 22 believe it or not.

23 Q That's an unusual mix, isn't it?

24 A Yeah. Pro civil rights. They just believe  
 25 that people should be allowed to do what they want

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1 to do as long as it doesn't hurt other people,  
 2 they're very much against this thing in Iraq right  
 3 now, and I think Bush is on the most hated list  
 4 they've ever had. They're very anti-Republican  
 5 right now in the system.

6 Q Do you belong to any recognized political  
 7 party?

8 A I'm an independent, and I do consider myself  
 9 more Libertarian than either one of the other  
 10 parties.

11 Q Mr. Robert Bales, who he is?

12 A Bob Bales, he was a guy I worked with for  
 13 long time and we were friends on the dock. He  
 14 present at the arbitration. He showed me some  
 15 T-shirts that he wore that they didn't have a  
 16 problem with.

17 Q Is he the guy that talked about the big  
 18 Johnson T-shirts?

19 A Yeah, yeah, I think it was one of them. He  
 20 and his wife are really good friends. I've done  
 21 lot of work for them. I rebuilt his car engine  
 22 Cougar. A lot of these people I've done a lot  
 23 work for and work with. He would be a pretty good  
 24 witness for my character and my technical abilities.

25 Q Let's make it through the list. Mr. Jack

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1 Carner, what category does he fall in; a person  
 2 has knowledge of the issues in the case or just  
 3 character witness?

4 A He's also -- he retired about the same time  
 5 Larry Poffen, and he runs a gun shop here in town,  
 6 pawn shop, gun shop, and I've known him a long  
 7 and see him at the bingo halls a lot and I still  
 8 him occasionally.

9 Q Which gun shop does he run?

10 A The Bullet Hole. He's part owner, I'm pretty  
 11 sure he's part owner of it. It's over on Memorial  
 12 and 11th Street, 9th Street.

13 Q Is that the one that sells reloading?

14 A Yeah. He sells a lot of reloading stuff,  
 15 of used stuff.

16 Q Mr. Cooley?

17 A Lee Cooley, he was also an avionics man.  
 18 retired several years ago. I worked with him  
 19 a bit and as a matter of fact, I sent him a kit  
 20 an American Airlines Electra awhile back. I met  
 21 with him every time I come in town. He comes to  
 22 little meeting at the restaurant and he's always  
 23 there. He's a very good man. Right now he is  
 24 helping some orphans. He never had a family so  
 25 but he would be a really good character witness.

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1 my performance and work duties.  
 2 Q You mentioned the restaurant before lunch  
 3 today. Are you talking about the same place and if  
 4 so, which restaurant?

5 A We used to meet at Denny's -- I mean Wendy's,  
 6 I'm sorry, Wendy's, Wendy's near Admiral and  
 7 Sheridan, Memorial, just right down between Sheridan  
 8 and Memorial, Wendy's on the north side. We meet  
 9 there every single time I come into town, except  
 10 this time because obviously we've got this stuff  
 11 going on.

12 Q When you were talking about the witness at  
 13 Walgreen's incident as I call it, I think you made  
 14 some reference to her as managing the restaurant?

15 A I think she was part owner or manager of the  
 16 Family Diner because I've seen her. I used to eat  
 17 there all the time and I would see her behind there  
 18 ordering people around, and that's on Harvard and  
 19 Admiral on the north side of the street.

20 Q So when she showed up at the arbitration, you  
 21 even knew who she was?

22 A It's been a long time since, of course, the  
 23 arbitration. I thought she was somebody that worked  
 24 at the car glass place where I used to get glass for  
 25 my cars. They could be identical twins. I thought

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1 it was her, and she bolted past me with this  
 2 surprised look. I didn't think -- because I was  
 3 walking out when she was walking in. It was during  
 4 an intermission of the arbitration, but she did look  
 5 kind of upset, and she showed a lot of emotional,  
 6 very, very emotional during this arbitration, more  
 7 than I would think a person that heard something six  
 8 months ago or a year ago. Very disturbed lady.

9 Q J. C. Brown was the union board member on the  
 10 panel; right?

11 A Yeah, J. C., I believe he's still a committee  
 12 member of the union.

13 Q What's his role in this case?

14 A He witnessed a company representative at the  
 15 arbitration say verbatim that no matter what the  
 16 arbitrator decides, we will not put Mr. Mahon back  
 17 to work and that was kind of -- I would say that was  
 18 undermining the arbitration process by saying that  
 19 in front of the arbitrator.

20 Q And that was part of the case you filed that  
 21 the Tenth Circuit threw out?

22 A Exactly.

23 Q Ian Fenwick?

24 A Ian, he was my last crew chief before I was  
 25 terminated. He has a biracial daughter or

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1 granddaughter, and he's a BMW man and we like  
 2 and talk mechanics, and he was my crew chief, a  
 3 would testify that I never made any derogatory  
 4 statements or any type of issues in the shop an

5 Q Is Ian Caucasian?

6 A Yeah, he's Caucasian, but he's from -- I  
 7 he's from England or New Zealand. He has a real  
 8 heavy British type accent. Real nice guy. One  
 9 the best people to work for out there. He's a  
 10 guy.

11 Q Mark Ihnen?

12 A Mark Ihnen, tractor man. Yeah, he's a crew  
 13 chief on the dock that I last worked with on  
 14 midnights, a midnight crew chief. He also testi  
 15 at the arbitration. I've been to his place a few  
 16 times, fixed his TV once or twice. He's a good  
 17 He's volunteer fireman. As a matter of fact, he  
 18 teaches fire science at one of the universities  
 19 in Oklahoma. I forgot which one. He goes once  
 20 week and teaches fire training. I don't know if  
 21 still does but he did then. He would be a good  
 22 character reference, witness. He's been a crew  
 23 chief for about five years out there.

24 Q Does he, to your understanding, have any  
 25 knowledge about other persons doing the same thing?

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1 that you did and not getting fired for it?  
 2 A I don't really know. He never received  
 3 questions on that at the arbitration. He just  
 4 person I worked for and worked with and been to  
 5 house. That's about all I can say about Mark.

6 Q There's some overlap between these witness  
 7 and the ones that appeared at the arbitration.  
 8 respect to that overlap, are you aware of any  
 9 information that you expect that witness or  
 10 witnesses could testify now that they did not  
 11 arbitration?

12 A You mean the witnesses that were pointed  
 13 I don't know really. It's hard to say. I don't  
 14 know. I couldn't answer that question.

15 Q For example --

16 A I wouldn't know what --

17 Q Before lunch we talked about the exhibit  
 18 the White Beret publication and the article on  
 19 as the white patriot. That was brought in the  
 20 arbitration and there was never any evidence  
 21 introduced from your testimony or anybody else  
 22 that subject.

23 A Yeah.

24 Q For example, using that just as an example,  
 25 are there any witnesses that appeared at that

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1 arbitration that could have addressed any of these  
2 issues to your knowledge that didn't?

3 A As far as that White Beret publication here?  
4 Q Any of the issues.

5 A They had no knowledge of any of that stuff.  
6 Most people would never have seen that stuff. They  
7 never would have had the opportunity to see it.

8 Q Mr. Charles Kountze?

9 A Kountze, Charles Kountze, well, he's been a  
10 friend of ours for several years. He's up in Ann  
11 Arbor, Michigan. He gave my brother a car last  
12 month, a 1999 Malibu, and he's a very wealthy  
13 person, and he's been kind of a friend of ours off  
14 and on for the last seven or eight years. He's  
15 trying -- he wants to write a book on Dennis.

16 Q On Dennis?

17 A He wants to write a book on Dennis, his  
18 experience in life, and he comes down and he is kind  
19 of a buddy, professional college student most of his  
20 life. He hasn't done a lot of work in his life but  
21 he's had a lot of money to spend and he's very  
22 wealthy, and it's kind of nice to have wealthy  
23 friends occasionally who can help you out.

24 Q Where did you say he lives?

25 A Ann Arbor, Michigan, but he comes down and

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1 visits quite a bit. He does a lot of traveling, a  
2 traveling man.

3 Q Speaking of writing a book, Dr. William Pierce  
4 who wrote The Turner Diaries, had you ever met him?

5 A William Pierce, I've never met him. I've seen  
6 him in video. My brother I think went up and saw  
7 him at someplace back in the mid '80's I think it  
8 was, but I don't recall meeting him. He's deceased,  
9 I understand now, because they had a big article in  
10 the paper about him. He died a couple of years ago.

11 Q Did you understand that he espoused certain  
12 white separatist ideas?

13 A Like I said, I just heard his name mentioned a  
14 few times. Somebody said he was a professor of  
15 physics. Like I said, Dennis mentioned his name a  
16 couple of times but I never talked to the man or met  
17 him. A lot of names got thrown around. They're  
18 just names to me. He knows so many people.  
19 Probably thousands.

20 Q Dale Lance, who is he?

21 A Oh, Dale, he sat next to me in the  
22 arbitration. He took notes. He was kind of my -- I  
23 don't know. I guess you would call it escort me  
24 around, took me to lunch. Didn't really know him  
25 that well, but he's a good mechanic and he knows a

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1 lot of people out there. I talked to him basic  
2 at the arbitration, talked to him quite a bit.  
3 took me to restaurants and stuff during lunchti  
4 and breaks.

5 Q Did the union appoint him as your caretake  
6 or --

7 A Well, he was there every day at the  
8 arbitration, every single day all three days, a  
9 just sat next to me, next to Kevin Creaser, and  
10 took notes. He was there to observe more than  
11 anything.

12 Q Is he a union officer?

13 A I think he was a steward. I think he was  
14 going to run for a union position, a high posit  
15 at that time, but at the time of the arbitration  
16 think he was just a steward, union steward ther  
17 observe and take notes and stuff.

18 Q Seems odd. Your son, Willie, William Rica  
19 Mahon?

20 A Yeah, right.

21 Q Other than -- don't take this the wrong wa  
22 but other than being a good father, what knowle  
23 could your son have about whether or not other  
24 people in the workplace did comparable things t  
25 and weren't fired?

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1 A Well, he -- when this went down, he was li  
2 in Chandler, Arizona, so he had no knowledge of  
3 went down. He didn't really acknowledge the  
4 workplace other than the fact I worked overtime  
5 the time. He never had a chance to see me. I'  
6 sending him to mechanic school now, but America  
7 made a lot of accusations about me trying to ha  
8 conspiracy to kill my son and my ex-wife. They  
9 made statement about me not insuring or my life  
10 insurance not authorizing -- authorizing a  
11 percentage to go to my son. So I think he woul  
12 a good witness to -- as me as a father and me a  
13 working man and how I conducted myself.

14 Q I've seen or read somewhere that your brot  
15 Dennis, at some point in time disapproved of yo  
16 being married to a Philippino lady; is that tru  
17 not?

18 A He actually did her way over here from the  
19 Philippines. Now, when he was working for Boei  
20 couldn't have gotten her over here without his  
21 because I was still in the Navy making peanuts,  
22 I think he didn't like her character because wh  
23 she got here, she seemed to get a little more  
24 materialistic than when I was with her in the  
25 Philippines. First time we went to a mega mall

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1 there was sort of a transformation there that took  
 2 place, but he gets along with her just fine now.  
 3 We've been to her house and fixed her car.

4 Q Did he publicly announce his disapproval of  
 5 your marriage to her and having a biracial son?

6 A Publicly? You mean like in print and --

7 Q Well, within those circles that he operates  
 8 in.

9 A No, probably never mentioned it. It was just  
 10 a personal situation.

11 Q What would your ex-wife have to add to this  
 12 particular legal issue?

13 A Oh, she would add quite a bit. The fact that  
 14 I'm being labeled as a terrorist, a hater, a devil,  
 15 a racist, all this stuff, I think she would testify  
 16 that I've probably been the most model ex-husband a  
 17 person has ever asked for. I helped her with a down  
 18 payment for her house in Phoenix. I've been to her  
 19 house on numerous occasions to fix her appliances  
 20 and air conditioning and both her cars. So she -- I  
 21 think she would be a very good -- testify to my  
 22 character and I behaved myself when you're married  
 23 and not married.

24 Q Would she have any knowledge of any alleged  
 25 involvement with racist groups?

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1 A Oh, no.

2 Q KKK?

3 A No, I don't think -- she has no knowledge of  
 4 anything. She had a problem with Dennis and some of  
 5 his belief systems, of course. She was a little  
 6 nervous about it, but now we've been to her house  
 7 numerous occasions. She had us over last  
 8 Thanksgiving and had a good time and had some of her  
 9 Phillipino friends over.

10 See, I don't think my brother is really a  
 11 hater. I think he was more of a separatist. When  
 12 he gave that speech to the Blank Panther militia in  
 13 Dallas in 1993, they gave him a standing ovation.  
 14 When he ran for mayor, he got I think a standing  
 15 ovation from the black Christian forum over here in  
 16 north Tulsa when he ran for mayor. They booed the  
 17 standing mayor, Miss Savage. My brother goes up  
 18 there and talks, he says I live in north Tulsa with  
 19 you people and I actually am trying to get  
 20 businesses back in this community and fix the roads  
 21 for you people; and so they enjoyed his speech a  
 22 lot. I don't think he's being labeled -- I mean  
 23 he's not as bad as people label him to be.

24 Q That may be an appropriate place to ask this  
 25 question. You've talked kind of in bits and pieces

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1 about belief systems, your brother's as opposed  
 2 yours, on some of your political philosophies a  
 3 where you fall in the spectrum of independent,  
 4 Libertarian and things like that. Tell me what  
 5 belief system is involving racial identity.

6 A What do you mean racial identity? I don't  
 7 understand what you mean. What race are you or  
 8 race you live with yourself as?

9 Q Let me try to pick a better example. Do you  
 10 believe that the races are properly kept separate?

11 A Well, Louis Farrakhan, when his lieutenant  
 12 talked to my brother on the phone for a long time,  
 13 they feel the races generally do better when they  
 14 have their own determination, self-determination.  
 15 My brother believes basically, as well as some  
 16 the other separatist groups around the country,  
 17 people are generally more content when they have  
 18 their own leaders and their own industries, but  
 19 never once wanted to attack a biracial couple or  
 20 people wanted to congregate, he had nothing against  
 21 it. He was all for people having the right to  
 22 associate if they want to, with who they want to.  
 23 That's all I know he knows. You would have to  
 24 him.

25 Q I believe the question was, what do you  
 10 believe?

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2 A Oh, what do I believe? Okay. I believe in  
 3 freedom. Libertarianism means total freedom,  
 4 freedom of association, freedom of using -- being  
 5 around who you want to, believing what you want to  
 6 as long as you don't cause personal harm to anyone.  
 7 That's the way it's always been. If I was a racist,  
 8 I wouldn't be living in the most racially diverse  
 9 city in America, besides LA; it's Phoenix, and  
 10 I lived nine years in a multi-racial neighborhood  
 11 in Tulsa. I've had an African American right across  
 12 the street, Mexican Americans cattycorner, Indian  
 13 Everybody in that area, we got along fine; no  
 14 problems at all.

15 Q So then what caused you to want to affiliate  
 16 yourself with a group that tried to stand out  
 17 being only Caucasian?

18 A Well, I think private being is okay. I  
 19 thought that would be good to have all the racial  
 20 cultures represented out there. Like I said, I  
 21 basically got talked into it. I personally didn't  
 22 really want to join, but Linda Dill had that kind  
 23 a charm, you know. You know, if she would have  
 24 250 pounds with a beard and mustache, I probably  
 25 wouldn't have joined, but she talked me into it.

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1 Q You indicated on the same subject matter area  
 2 that you did recognize the Turner Diaries to be  
 3 anti-government?

4 A Well, that's the impression I got in the first  
 5 chapter. It was mainly anti-government, governments  
 6 were taking guns from everybody around the country,  
 7 and this individual was arrested and he escaped and  
 8 formed his own little group.

9 Q Are you concerned about the efforts to pass  
 10 gun control laws?

11 A I've always been to a certain degree. I'm  
 12 very scared of the Patriots Act. Search and seizure  
 13 laws have been apple gated. Sneak and peek, no more  
 14 federal warrants for wire taps. I'm very concerned  
 15 about the lack of how we're losing freedoms from  
 16 this Patriots Act, and I think the government  
 17 eventually will plan on gun control, confiscation of  
 18 guns. Some of our freedom of free speech will be  
 19 taken away, but it's a passing concern. I'm not  
 20 totally obsessed by it, but the Libertarians, we all  
 21 have that passing concern.

22 Q What about the increasing power of the Federal  
 23 Emergency Management?

24 A FEMA?

25 Q FEMA. Some people are pretty concerned about  
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1 about it on -- at first I didn't know what it was  
 2 I just thought somebody threw a pipe bomb into  
 3 building, but when they said that many people died  
 4 it was pretty horrific. It was a pretty big shock  
 5 to everybody.

6 Q Do you remember the date of the Oklahoma City  
 7 bombing?

8 A 19th of April of '95, yeah.

9 Q After you bought The Turner Diaries book,  
 10 isn't it true that you testified that you were  
 11 of the tie that was made between Timothy McVeigh  
 12 and The Turner Diaries?

13 A Well, April 19th is also the anniversary of  
 14 Waco, which I think maybe played a big significant  
 15 part of that day they chose, that he or whoever  
 16 involved chose to bomb the building. I think it  
 17 definitely his retaliatory act against what happened  
 18 in Waco because it happened on the anniversary  
 19 of Waco, but there's a lot of conjecture of things  
 20 happened and how it led up to it and stuff, so

21 Q And when you wore The Turner Diaries T-shirt  
 22 on April 20, you did admit you thought it was an  
 23 anti-government or anti-establishment statement  
 24 correct?

25 A The book is anti-government. I don't remember  
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1 that.

2 A It's a concern. It really is.

3 Q Why is that?

4 A Because as Americans, we're used to going  
 5 where we want to without papers; we're used to  
 6 saying things we want to say and having the freedom  
 7 to do hobbies involved, and I think that FEMA is  
 8 going to put a crunch on our basic freedoms.

9 Q You mentioned Waco and the Branch Davidians.

10 Do you believe what occurred there was an  
 11 infringement of somebody's rights?

12 A I think it was an atrocity, yeah. I think the  
 13 government killed almost 80 real good innocent  
 14 people, most of them -- many, many African Americans  
 15 and Asian Americans and Hispanic Americans in that  
 16 group were burned alive, and I think it was a ugly  
 17 blight upon the American history, as well as Ruby  
 18 Ridge when they killed that woman with her baby, but  
 19 it's becoming an emotional subject. I don't really  
 20 want to discuss that.

21 Q You were living in Oklahoma at the time of the  
 22 Oklahoma City bombing, were you not?

23 A I remember the morning very well as a matter  
 24 of fact, yeah. I was at a restaurant eating  
 25 breakfast at Tallies when they first said something

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1 admitting that I wore that just because of Waco  
 2 American Airlines picked that date for that meeting  
 3 for some reason. I don't know why. Also they  
 4 mentioned it was Adolph Hitler's birthday and I  
 5 didn't even know what birthday Hitler was born on.  
 6 So American Airlines must have more knowledge of  
 7 dates and places than I do, but there was no  
 8 connection.

9 Q Are you aware that your brother is quoted as  
 10 he made the comment that the Oklahoma City bombing  
 11 was a beautiful thing?

12 A I think what he said, he said -- the only  
 13 thing I remember him saying about it to Fox News  
 14 network when they came down for an interview, he  
 15 said he's glad that someone finally took it to  
 16 government but he should have done it at 3:00 in  
 17 morning, that's what he said, when there was no  
 18 lost. He never approved of all the people dying  
 19 there. He said it's just too bad they didn't do  
 20 it at 3:00 in the morning.

21 Q Often times a person's religion plays a role  
 22 in their belief systems. You agree with that I  
 23 assume?

24 A Sure. Religion is a great part of people's  
 25 lives.

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1 Q I understand at some point in time, maybe  
 2 earlier in your life, maybe until today, you were a  
 3 member of the Seventh Adventist?

4 A Seventh Day Adventist, yeah.

5 Q Is that still the case?

6 A No. I fell away from it. I'm a back slider.  
 7 They're very legalistic. You couldn't eat certain  
 8 things. You couldn't drink any alcoholic beverages  
 9 at all. You couldn't work from Sabbath, Friday  
 10 sundown to Saturday sundown, and as I grew into that  
 11 religion, I realized that although the people were  
 12 very nice in the church and they treated me great,  
 13 it just got to be a little bit legalistic and I fell  
 14 away. When I was in the Service, I was a very  
 15 strong member of it.

16 Q In fact, while you were in the Service, you  
 17 applied to be released from the Service as a  
 18 conscientious objection; is that correct?

19 A Exactly. They wanted me to participate in the  
 20 nuclear bombing problem, a nuclear loading program  
 21 of loading nuclear weapons, and I said my religion  
 22 prevents me from loading weapons of mass  
 23 destruction. So they said you can't do that unless  
 24 you file for a conscientious object 1AO  
 25 classification, so I got paperwork to do that. The

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1 there probably 16 years. I worked with him quite  
 2 bit out there. Came to me for a lot of advice.  
 3 He'd been a mechanic and he got to avionics a lot  
 4 later in his career, so he came to me a lot of  
 5 for training, informal training on the airplane.  
 6 Born-again Christian, very conservative. I've  
 7 out to dinner with him on many occasions since  
 8 I fired and before. Real good character witness.  
 9 son is a doctor now and a real honest, hardy man.  
 10 He could also testify to my behavior, my psycho  
 11 my performance on the job, my basic psyche, what  
 12 believe. Another good man. He's been out there  
 13 long time.

14 Q Why don't we have a break so everybody can  
 15 a little refreshed and --

16 A Can I get some coffee?

17 Q Yes.

18 (Following a short recess at 2:59 p.m.  
 19 proceedings continued on the Record at 3:23 p.m.)  
 20 Q Mr. Mahon, following up, after a break, to  
 21 list of people that you believe would be witnesses  
 22 on your behalf in this case, we had made it down  
 23 your list to Bob Pierce and I assume Debbie Pie  
 24 A Yeah.

25 Q Who are they, please?

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1 process is pretty involved. I had to see a  
 2 psychiatrist for an hour or two. Then I had to see  
 3 the chaplain on board the base, Navy chaplain, the  
 4 Catholic and Protestant, and they all agreed my  
 5 beliefs were sincere and they finally approved that  
 6 category.

7 I still had to work on the airplanes and I  
 8 still had to go to sea with the squadron. I still  
 9 did my job as an avionics man but I didn't have to  
 10 load that nuclear ordnance.

11 Q If you are no longer with the Seventh Day  
 12 Adventist church, are you with some other organized  
 13 religion?

14 A Pretty much agnostic now. I see all these  
 15 religions all trying to gain strength in the world,  
 16 and I've pretty much assumed or come to the  
 17 conclusion that we need to have a big stadium and  
 18 put Allah and Jesus and Vishnu, Buddha, Yawway and  
 19 all these different gods in there and let them  
 20 hammer it out and we'll worship the one that wins.  
 21 That's kind of how I feel about it now.

22 Q Evan Sirois, is that how you pronounce his  
 23 name?

24 A Sirois, Sirois. He's a gentleman from -- he's  
 25 a Vietnam veteran, highly decorated, and been out

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1 A They're next door neighbors, one house down  
 2 from me. They have been my neighbors for roughly  
 3 eight years, a real nice couple, got two kids,  
 4 worked on his cars. He works on my stuff. We  
 5 garage sales together, and he's a fan of Harley  
 6 Davidson motorcycles, got two of them, and they  
 7 the ones that have been there the longest. I  
 8 thought they might be nice.

9 Q Do they have any idea of what went on in the  
 10 workplace and whether employees similar to you  
 11 terminated or not terminated?

12 A Not really. Him and my brother got to  
 13 drinking beer a lot. They liked to drink beer.

14 Q Drank a lot of beer?

15 A Drinking a lot of beer, dealing with the  
 16 Harley there, but I used to fix the TV for them  
 17 their appliances and stuff. So they were kind  
 18 regular kind of people.

19 Q Steve Waddel, he testified, didn't he, at  
 20 the --

21 A No. Steve is another friend of ours. I've  
 22 had him as a friend a long time. I've worked on  
 23 truck a lot. As a matter of fact, we rebuilt a  
 24 wreck when he got in a wreck. He works at  
 25 Whirlpool. Known him about seven or eight years.

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1 He's just kind of a regular working class guy,  
 2 middle class, nothing special about him but he's a  
 3 pretty honest-hearted guy. I just done a lot of  
 4 work for him, fixed TV's for him, his trucks all the  
 5 time, put a garage door on his house.

6 Q Ralph Schubert?

7 A Ralph, he did testify at the arbitration. He  
 8 was my crew chief for about two and a half years.  
 9 He's retired, just recently retired. Been at  
 10 American for I think 28 years or 30 years, and he  
 11 used to go a lot of these political forums. He's --  
 12 what do you call it, the town hall meeting, and we  
 13 used to see him there a lot, fairly political  
 14 active, big NRA supporter, conservative person, and  
 15 he's been my friend a long time.

16 Q Did he work at American?

17 A He works at American, right.

18 Q I'm sorry.

19 A He was my crew chief for three years, almost  
 20 three years.

21 Q Does Mr. Schubert, from what he's told you or  
 22 you know, have any information about whether a  
 23 similarly situated employee to you had done the same  
 24 kind of things you did but didn't get fired?

25 A I don't think he has any knowledge of anything

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1 like that. I don't think so.

2 Q Eugene Hough?

3 A Eugene Hough, yeah. He's my attorney friend.  
 4 He does domestic cases, bankruptcy, divorces, this  
 5 type of thing. I've known him for about nine years.  
 6 Done a lot of work on his vehicles. I was his  
 7 personal mechanic and home repairman. I know him  
 8 and his wife quite well. Another conservative type  
 9 person, pro-gum. Real nice guy. He's been in town  
 10 here a long time.

11 Q Your interactions with him were on a friend  
 12 basis as opposed to a formal attorney-client  
 13 privilege?

14 A We have a professional attorney-client  
 15 relationship with my house. When I got the quit  
 16 claim, he did the paperwork for the transferring the  
 17 house over.

18 Q But as it respects this litigation, was he  
 19 ever your attorney?

20 A No, no.

21 Q I hand you what's been marked as Defendant's  
 22 Deposition Exhibit 41. Can you identify that?

23 A It was a letter I think I sent to the ACLU  
 24 that they didn't take the case.

25 Q On the first page the majority of it appears

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1 to be written in cursive?

2 A Which is --

3 Q As opposed to printing, cursive handwriting?

4 A Yeah, yeah, it was my handwriting, yeah.

5 Q Is this how you write in cursive or is this  
 6 somebody else's handwriting?

7 A No. It's mine. That's how I write; that  
 8 how I write. Of course, now I'm older, I proba  
 9 write older, but that's how I write.

10 Q I guess I had never seen other than your  
 11 signature any writing in cursive. In the left  
 12 margin of the first page of this exhibit there's  
 13 note that says, Gene, should you print Daniel  
 14 in the place of I?

15 A There's a big cross thing here. I don't  
 16 recall doing that. I don't recall putting this  
 17 scribbling on here.

18 Q Did anybody ever write a letter for you or  
 19 draft a letter for you to send out?

20 A Should you print Daniel Mahon in place of  
 21 I have no idea -- this is not my writing here;  
 22 that's not my writing.

23 Q The printing in the margin is not your  
 24 printing?

25 A That's not my printing, and also this thing  
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1 here is also not -- I don't know what is involv  
 2 here.

3 Q Turning over to Page 4, which also has Bar  
 4 stamped 118 on it, you'll see that the handwrit  
 5 changes from cursive to printing.

6 A That's my printing; that's definitely my  
 7 printing, and it's definitely my writing. I do  
 8 know if I just probably went to a different day  
 9 sometimes to make things more clear, I do that  
 10 occasionally. I made a mistake on aircraft  
 11 paperwork, too. Sometimes I'll start writing  
 12 should be printing and vice versa.

13 Q The reference on the first page to Gene,  
 14 you call your friend Mr. Hough Gene as opposed  
 15 Eugene?

16 A What page is this?

17 Q The very front page in the margin.

18 A I've always called him Gene and that's his  
 19 just Gene.

20 Q Did Gene ever insist you write a letter?

21 A No. Only thing I used Gene for was my qu  
 22 claim on the house, and I did ask him to take  
 23 case but he said I'm not interested in it. He  
 24 wasn't interested in looking into it, so he di  
 25 take it.

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1 Q Did he ever offer or help you review anything  
 2 you had written, such as this letter?  
 3 A No, he never looked at anything. I just asked  
 4 him if he would help out and he said I'm too busy, I  
 5 can't do it; I'm not interested in that case.  
 6 Q Did you in fact send this letter out to the  
 7 ACLU?

8 A I believe I did. I believe I sent that to  
 9 Kansas City.

10 Q Can you tell me by looking at it what the date  
 11 of this letter is?

12 A Not dated. I probably sent that out between  
 13 the time that the arbitration decision came down and  
 14 the time I got Bob. I also contacted Gerry Spence  
 15 and a Prepaid Legal attorney I met with.

16 Q This letter is entirely written by you; is  
 17 that what you are telling me?

18 A Sure looks like it. I don't know about this  
 19 thing in the side here but it definitely is my --  
 20 this is my letter. That's my writing.

21 Q It has your name at least in the signature  
 22 page on Page 10?

23 A Yeah. This is my letter.

24 Q Do you consider that for this purpose to be  
 25 your signature to this letter?

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1 A Yeah. That's the way I would do it.

2 Q Was this letter sent to the ACLU written in  
 3 longhand form or did you have it typed up or do you  
 4 remember either way?

5 A I sent this letter as is. I think I put it in  
 6 a manila envelope and sent it off to the Kansas City  
 7 chapter of the ACLU.

8 Q Did you try to be careful and accurate when  
 9 you wrote this letter?

10 A As accurate as I could.

11 Q Did you embellish it; did you take any  
 12 liberties with the facts in it at all?

13 A Well, again, I would have to go through it to  
 14 make sure because it's been a little while ago since  
 15 I wrote it.

16 Q Take your time to read it. That will make my  
 17 questioning go more quickly later.

18 A One date may be off. I think it was 1990 I'm  
 19 almost positive that he quit, not '91.

20 Q Tell me where you're looking.

21 A Second page, approximately -- yeah, second  
 22 page about two inches up where it says 1988 and  
 23 September of 1991. I think it was around October of  
 24 1990 that they finally let go of him.

25 Q Have you heard that your brother, Dennis, said

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1 the Klan wasn't violent enough or progressive enough  
 2 for his tastes?

3 A Oh, I don't recall it. He may have said it  
 4 when he was out. He was gone quite a bit doing  
 5 interviews with people. He didn't spend a lot  
 6 time at the place. He was actually out of town  
 7 lot. Dick Kurtenbach, that was his attorney for  
 8 ACLU in his case against Kansas City. I did have  
 9 F-29 after the showing of the -- airing of the  
 10 Winfrey Show. Mayoral -- ran for mayor. Okay.  
 11 Talked about when I was called in with the FBI  
 12 the FBI was at American. That's accurate. 1990  
 13 that doesn't sound right. No way I was in that  
 14 group that long.

15 Q Talking about the Caucasian employee resource  
 16 group?

17 A Yeah. That's not right. There's no way I  
 18 in there a whole year, no way, no way. I don't  
 19 think they were in operation then. That date is  
 20 wrong. It has to be spring, early spring of 1990.  
 21 That's January of 1990. These dates are one year  
 22 off.

23 Q You are referring to on or about the first  
 24 week of January?

25 A They weren't even in operation then.

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1 Q I met privately with Linda Dill and Craig  
 2 Nichols?

3 A Yeah. It has to be January of '90, has to be  
 4 Okay. April 20th, after I checked the bulletin  
 5 board, I was notified to check bulletin board and  
 6 found out about the meeting. Other than those  
 7 dates, it looks fairly accurate.

8 Q Let me ask you a few follow-up questions.  
 9 begin the letter by saying as a member and support  
 10 of the ACLU for many years. Are you a member of  
 11 ACLU?

12 A Yes, I am.

13 Q Is that one organization of which you are  
 14 card-carrying member?

15 A Right. I do have an ACLU card.

16 Q As you recall, does it make you remember any  
 17 other groups that you're officially a member of?

18 A I'm a member of PETA. I'm also a member of  
 19 the National Peace Alliance, National Peace  
 20 Fund. I'm a member of several assertive pro-pe  
 21 organizations, NRA, many organizations.

22 Q Any others that you can think of?

23 A Not that I can think of now but they're out  
 24 there. There's quite a few.

25 Q Do you keep a list of them; do you keep yo

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1 cards with you; how do you know?  
 2 A Well, I have a pretty thick wallet. I do have  
 3 some in any -- I have a lot of things. That  
 4 obviously is one of them.

5 Q Christian Seniors Association, do you mind if  
 6 I grab it here?

7 A There's several of them in the -- I wish I had  
 8 known that because I have a whole bunch of stuff at  
 9 the place I'm staying, a bunch of my records and  
 10 things. I also belong to World Wildlife Fund.

11 That's another one. Amnesty International. That's  
 12 all I can think of right now.

13 Q Okay.

14 A My wallet would be two inches thick if I put  
 15 all those cards in there.

16 Q How do you afford all those dues? That's more  
 17 things than I can imagine belonging to.

18 A I live in a travel trailer.

19 Q Bottom of the first page of Exhibit 41 talks  
 20 about spring of 1999, two years after the separation  
 21 from your wife, your identical twin brother lost his  
 22 job after Braniff Airlines went broke in Kansas  
 23 City, Missouri?

24 A Yeah. They went bankrupt for the third time.

25 Q Do you know whether your brother had ever been

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1 fired from another major airline?

2 A He did get fired from TWA in 1989 after he  
 3 appeared on the Oprah Winfrey Show. He took a half  
 4 an hour off his night shift to catch a flight to  
 5 Chicago to do the show, and nothing happened until  
 6 they aired the show and then after that they fired  
 7 him for missing time off work, which he actually was  
 8 approved to take. His job was already finished on  
 9 the airplane, so he had some downtime anyway. They  
 10 were waiting for avionics to get done, and they  
 11 called him in and said you missed an unauthorized  
 12 absentee, a half hour off work, and they fired him.

13 Q Are you aware that he was accused of urinating  
 14 on the presidential seal of Air Force One?

15 A All too aware.

16 Q Is it true?

17 A Yeah, it is true. As a matter of fact, I got  
 18 visitation by the president's Secret Service  
 19 organization about that, a very disturbing visit.  
 20 Got a note on my door at the house, a little calling  
 21 card said that Agent Rafferty of the Secret Service  
 22 needs to talk to you about a very urgent problem,  
 23 and later on he made an appearance and he wanted --  
 24 first he thought I was Dennis and he said, Dennis,  
 25 you need to come outside, we need to talk. I said

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1 I'm not Dennis, so I showed him my ID to prove  
 2 wasn't Dennis, and he said we have to question  
 3 about a possible threat against the United States  
 4 president, and I said what happened, and he said  
 5 about six months ago your brother while working  
 6 Wichita urinated in the Oval Office of U. S. Air  
 7 Force One, a 747. Although the aircraft was still  
 8 under Boeing's auspices, it wasn't really released  
 9 to the president's fleet, so the FBI wasn't really  
 10 involved; it was just the Secret Service, and he  
 11 rather threatening, and I said, well, I'll let  
 12 know where he is as long as you promise not to  
 13 any personal harm. He basically said unless your  
 14 brother admits to wanting to kill the president  
 15 will not be arrested. So I gave him the whereabouts  
 16 of where my brother was and I said he's at Braniff  
 17 Airlines, Kansas City International Airport, in  
 18 crew, he's there right now.

19 And about an hour later I got a call from  
 20 brother and he said you're not going to believe  
 21 what happened; he said this real old gravedigger  
 22 Secret Service agent came on the job with Barney  
 23 Fife, a young rather exuberant sidekick, and they  
 24 asked me if I urinated on President Bush's airplane  
 25 and my brother said yes, I did, and the head agent

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1 started laughing uncontrollable. He says we laughed  
 2 so hard when we heard it, we didn't really believe  
 3 it. He said do you want to kill President Bush?  
 4 My brother said I'd like to kill his policies but  
 5 don't want to kill the man. He said okay, can  
 6 take a quick picture and thumbprint and we'll be  
 7 on our way. Meanwhile, the younger man was kind of  
 8 an in-your-face kind of guy. My brother said can  
 9 tell Barney Fife to take a coffee break and I'll  
 10 deal with you, and he told -- the older agent told  
 11 Barney Fife, Barney Fife, take a coffee break.  
 12 They got his thumbprint and a picture and that  
 13 was the end of it, but they claim they have over 30  
 14 threats against high officials every day and they  
 15 have to investigate every single one. They're  
 16 pretty much busy people, but it was a no event,  
 17 non-event.

18 Q Well --

19 A I guess he had to urinate pretty bad. I don't  
 20 know what happened there.

21 Q Did he go on the presidential seal on the  
 22 outside of the airplane?

23 A No. He was actually inside the chair.

24 Q He peed on the president's chair?

25 A Yeah, and his table and the carpeting. He

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1 baptized it quite well. Agent said are you glad you  
 2 did it. He said I would do it in a heart beat; if I  
 3 had the chance, I would do it again in a heart beat.  
 4 Q What do you think about that?

5 A Comical. You know, I mean I know he wouldn't  
 6 jeopardize any airplane to cause a serious --  
 7 jeopardize safety, but he saw the people look in his  
 8 toolbox and he kind of figured his termination was  
 9 very short coming, so he decided to leave his  
 10 essence on the Oval Office. A little bit of  
 11 disinfectant cleaner took care of it.

12 Q Page 2 of your letter here in Exhibit 41 where  
 13 you're talking at the top, let me interject at this  
 14 point that identical twins more often than not have  
 15 a markedly different relationship with each other  
 16 than with other siblings do. As young children, we  
 17 played with the same toys, built model airplanes  
 18 together, went fishing together, et cetera. My twin  
 19 and I shared the same interests, hobbies and the  
 20 same politics. Most people wouldn't understand it.  
 21 It's a twin thing I guess. Is that an accurate  
 22 statement?

23 A Well, except for totally the politics aren't  
 24 always the same. The hobbies aren't always the  
 25 same. He has different hobbies now. But we did go

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1 in the military together and we taught each other  
 2 how to do things, the airplane thing and the  
 3 fishing, and both had interest in firearms. I would  
 4 say quite a bit of things were quite alike. Of  
 5 course, when you share your life with someone with  
 6 the same identical DNA, you're going to be somewhat  
 7 similar. I don't see how that could be different,  
 8 but as we grew older, I think like everyone, we had  
 9 different ideologies about a lot of things.

10 Q Then in the next paragraph you talked about  
 11 his involvement in the KKK, and then you make a  
 12 statement I thought was curious. I believe he may  
 13 have developed these negative beliefs from some  
 14 experience while on riot duty in Miami, Florida in  
 15 1980.

16 A Yeah.

17 Q What is that all about?

18 A I think he had a traumatic experience on  
 19 National Guard duty during May of 1980. He worked  
 20 for Eastern three days, on the job three days, and  
 21 he got called out for National Guard duty. It was a  
 22 pretty bloody situation took place May 3rd.  
 23 Eighteen people died the first night. He was put  
 24 right in the thick of it, and he had to use his  
 25 firearm, military firearm on a person, and the

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1 policeman next to him died of a heart attack.  
 2 tried to revive him and it didn't work.  
 3 A week after that he went on -- the Cubans  
 4 a problem with Castro. Mariolitto, Mariolito  
 5 Botliff, he was a Cuban. Castro allowed a great  
 6 deal of his prisoners and criminals to come to  
 7 country under the guise of some type of emergency  
 8 Cuba and it was -- it caused the National Guard  
 9 be activated for 40 days to guard all these  
 10 entrants. Most of them were from mental  
 11 institutions and hardened criminals; very few of  
 12 what you would say decent Cubans were brought.  
 13 Castro basically did a dirty trick, and my brother  
 14 was involved in that for 40 days in that situation  
 15 guarding all of these people.

16 So he -- I think he established some of his  
 17 belief systems from that experience. I think it  
 18 different after that time.

19 Q Was the riot you referred to involving race  
 20 A Yes, it was. Basically it involved four  
 21 police officers beating an African American to  
 22 with the billy clubs, and it was a motorcycle  
 23 that got ugly, and it was on -- close to a week  
 24 and it got out of control, and National Guard  
 25 brought in to help quell it, and it was traumatic.

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1 for him.

2 Q You said it was May 3rd, 1980?

3 A 1980, May 3rd or May 13th, one of the two,  
 4 not exactly sure, I think it was May 3rd but it  
 5 have been May 13th. It was during the month of  
 6 But anyway, that's his own experience he went  
 7 through.

8 Q You say later in that page that you agreed  
 9 to allow your brother to rent a room at your house  
 10 \$125 a month?

11 A That's right.

12 Q And he agreed not to engage in any illegal  
 13 activity?

14 A He never has -- never at any time had he  
 15 engaged in anything illegal. All his activities  
 16 were constitutionally protected, including his  
 17 for mayor twice. He never advocated wholesale  
 18 violence against anyone. I did tell him that he  
 19 one year to get out of this KKK business, which  
 20 did, or not one year. I'm sorry. Within 90 days  
 21 him coming in, 90 days he resigned.

22 Q What was the basis of your talking him out  
 23 the KKK?

24 A After seeing a lot of people that are in  
 25 I considered them kind of uneducated, low-life

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1 people. He was I think trying to reform it, trying  
 2 to get people to go -- getting the politics instead  
 3 of the violent talk, and he did get attacked three  
 4 times by skinheads for that reason. He got beat up  
 5 twice.

6 Q And so your brother went from the Ku Klux Klan  
 7 to the White Aryan Resistance?

8 A Yeah. He got rid of that Klan thing all  
 9 together, and later on he started talking to Tom  
 10 Metzger. Used to be White American Political Party  
 11 and then changed it to WAR, White Aryan Resistance,  
 12 which that's kind of what he went with. It was more  
 13 of a political organization than this Klan thing  
 14 because the Klan drew a lot of drunks and wife  
 15 beaters and people of this nature.

16 Q And his association or involvement with WAR  
 17 continued until the two of you all left Tulsa; is  
 18 that right?

19 A Way before that. He really -- after the  
 20 bombing, Tom Metzger basically said you're no longer  
 21 an organizer or an activist with this organization.  
 22 So after the bombing, that was it. It was no more  
 23 anything, except just an occasional phone call, you  
 24 know, how you doing, Tom. He called him  
 25 occasionally, but there was no other activity

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1 ease of expenses and stuff. A lot of businesses  
 2 it. I get a lot of parts to my TV service through  
 3 the P. O. Box and all kinds of mail, junk mail.

4 Q Clearly, you testified that you were conce-  
 5 with you being associated with your brother's  
 6 activities; right?

7 A I don't see how a post office box really makes  
 8 you -- he got his mail and I got my mail. It was  
 9 simple as that. There was no post office available  
 10 so we just got one box and used it, a big one.

11 Q So did you condone him using your P. O. Box  
 12 and your home telephone number to conduct his  
 13 activities?

14 A He didn't really mail much to that P. O. Box  
 15 or get much stuff. Most of the stuff was just  
 16 mail and stuff that I ordered through my collection  
 17 and my model airplane thing. If he did, I'm sure  
 18 I got a few things, but I don't necessarily -- that  
 19 wasn't addressed to some type of a racial title.  
 20 It was strictly the box in my name; it was my P. O.  
 21 Box. It wasn't like White Beret Enterprise box  
 22 it wasn't KKK or WAR. It was just Daniel Mahon  
 23 box.

24 Q But you knew he was using your box and your  
 25 phone number for WAR activities?

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1 involved. As a matter of fact, Tom Metzger's son  
 2 got out of the whole thing a couple of years ago.

3 Q Did what?

4 A His own son is no longer associated with his  
 5 father. He's out of that thing, too, so --

6 Q We're going to return to this exhibit so you  
 7 may want to keep your hand there, but in the  
 8 meantime would you turn to Defendant's Exhibit 31.  
 9 Do you recognize that, sir?

10 A I don't recognize this. I don't know these  
 11 individuals at all.

12 Q You haven't seen a document like this before  
 13 in your life?

14 A Not this. I've never seen this. I don't know  
 15 where it came from or whether he faxed this to  
 16 people. I have no idea. I just don't know who  
 17 these people are. I've never heard of them before.

18 Q This is the WAR that we're just talking about,  
 19 isn't it, White Aryan Resistance?

20 A Yeah, WAR network, that is, yeah.

21 Q And the telephone number on your first page is  
 22 your home phone number; correct?

23 A Yeah. We shared a phone number.

24 Q And the P. O. Box, is that a shared P. O. Box?

25 A Yeah. A lot of people share P. O. Boxes for

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1 A Well, he had his own phone line in his room.  
 2 He had his own hotline that he had set up and he  
 3 used that to call people and things of this nature.  
 4 but he had access to the main phone, sure. It was  
 5 a small house, 985 cubic feet or square feet, it  
 6 wasn't a big house, but I never heard any sedi-  
 7 tate being talked about. It was just a shared  
 8 phone. People do it all the time, share phone  
 9 numbers to save money.

10 Q My question was, you did know he was using  
 11 documents such as this one, Exhibit 31, your  
 12 telephone number and your P. O. Box; correct?

13 A Oh, yeah, he used it. No problem about that.

14 Q And you knew it?

15 A Absolutely. How am I not going to know it?

16 Q We talked a little bit about William Pierce.  
 17 Have you ever met Mr. Metzger, Tommy Metzger?

18 A I met him one time, yeah. He came back --  
 19 excuse me -- to Tulsa for a short visit, and I had  
 20 few words with him about TV's, how's the TV  
 21 business, and I had some TV problems I talked  
 22 about.

23 Q Are you aware that Mr. Metzger has for quite  
 24 some time operated a video -- excuse me, a web  
 25 site and a recorded racist hotline service out of

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1 California?  
 2 A More than that. I think he had cable access  
 3 in about 25 states I think if I'm not mistaken.  
 4 Q Are you aware that in the course of the  
 5 dispute between you and American Airlines, the  
 6 arbitration, and for a period of time at least  
 7 following that, Tommy Metzger was publishing  
 8 commentary and stating opinions on his publications  
 9 about you?  
 10 A Internet, I think somebody let him know on the  
 11 Internet what's going on. I don't have a computer.  
 12 At that time none of us used a computer, except to  
 13 look up parts for an airplane, but, yeah, he did put  
 14 something on there about that and I don't know how  
 15 he got the information at all.  
 16 Q So he didn't interview you to get that  
 17 information?  
 18 A No. I don't talk to Tom Metzger at all.  
 19 Q Did your brother, as far as you know, give him  
 20 that information?  
 21 A I don't think he did. He could have got that  
 22 from any number of sources. I was very disturbed he  
 23 put that on there because he had no business putting  
 24 that on there.  
 25 Q As are other people. The telephone service

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1 A His was the top one. The bottom one was C  
 2 Howe. I do remember she had a thing set up, Ca  
 3 did.  
 4 Q This is the same Carol Howe that was  
 5 implicated in the Oklahoma City bombing?  
 6 A Implicated or testified for? She was a  
 7 witness for other things.  
 8 Q And wasn't it through that connection that  
 9 your brother was suspected of having been invol  
 10 A Yeah. She became an informant, later drop  
 11 her for being unreliable, but she did make some  
 12 trouble for my brother.  
 13 Q Now, were you aware that your brother was  
 14 operating the Dial-A-Racist Hotline out of your  
 15 house?  
 16 A Oh, absolutely. It's a small house. It's  
 17 985 square foot house, so I knew he had a hotli  
 18 I said if you do any illegal activity, you got  
 19 go.  
 20 Q Is the message or messages that are contai  
 21 on that hotline anything that disturbs you?  
 22 A I actually didn't hear much of the message  
 23 That was his domain. I never went into his roo  
 24 any reason because I had nothing to go in there  
 25 I ran my little repair business out in the gar

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1 that your brother operated was called the  
 2 Dial-A-Racist Hotline; right?  
 3 A Right. That was his own phone.  
 4 Q That went into his room in the house?  
 5 A Yeah. That was plumbed into his -- wired into  
 6 his bedroom, yeah.  
 7 Q And he would leave a tape recording on the  
 8 answering machine in there for people to dial and  
 9 listen to?  
 10 A Yeah. They had to voluntarily dial in. It  
 11 wasn't a dial-out service.  
 12 Q Let me direct your attention to a calling card  
 13 I believe you've seen before today. Would you  
 14 identify that for me?  
 15 A Yes. My brother's -- I don't know who this is  
 16 Aryan separatist thing is. Oak Hurst, something I  
 17 can't recognize. The other I do as Dennis'.  
 18 Q It says Oklahoma White Aryan Resistance, P. O.  
 19 Box 434, Catoosa, Oklahoma. That's your P. O. Box;  
 20 right?  
 21 A Yes, it is.  
 22 Q Which of the two numbers on here, I think I  
 23 know, but of the number for White Aryan Resistance,  
 24 as opposed to the Oklahoma Aryan Separatist Party,  
 25 was your brother's phone number?

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1 and he kept his deal there. It's two separate  
 2 deals.  
 3 Q Did you oppose any of the activities that  
 4 was conducting out of your home?  
 5 A Well, the deal was anything illegal, he's  
 6 to go. As long as you're doing a constitutiona  
 7 protected activity, you can stay, but as soon as  
 8 do something illegal, you got to go.  
 9 Q Did the two of you all talk about the line  
 10 between what's illegal and what's constitutiona  
 11 protected activity?  
 12 A Basically I said if any police come and ar  
 13 you for anything, you'll have to find another p  
 14 to live.  
 15 Q I direct your attention to what's been mar  
 16 as Defendant's Exhibit 19. It's a transcript o  
 17 telephone call recording placed to 918-834-4272  
 18 August 17th, 1999. This was also an exhibit I  
 19 believe at your arbitration.  
 20 A Right. I remember that.  
 21 Q Have you ever taken the opportunity to rea  
 22 that transcript?  
 23 A I don't see anything about American Airlin  
 24 in here but I guess it's his hotline, one of th  
 25 messages here.

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1 Q This timing-wise was after the date of your  
2 termination and before the arbitration; is that  
3 correct?

4 A August -- yeah, I think it was. August 17th  
5 sounds about halfway between -- before --

6 Q It states in part send \$3 or more to your  
7 host, Dennis Mahon, and that's P. O. Box 434,  
8 Catoosa; that's your P. O. Box; right?

9 A Uh-huh.

10 Q And he refers to Tom Metzger International  
11 Aryan Update as a source for people to go to;  
12 correct?

13 A It's just another -- yeah. He has a hotline,  
14 too, several hotlines around the country.

15 Q And he gives the telephone number for Metzger;  
16 correct?

17 A Yeah. He used to always do that but that's  
18 all he did for him.

19 Q Page 4, quote, now I predict a major  
20 earthquake at American in the next few months.

21 A I'm sorry.

22 Q I also predict a major airline crash. I'm not  
23 going to say which airline but I just feel within  
24 the next two months I'm afraid we're going to lose  
25 one, period. closed quote. Have you found that?

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1 A That came up at the arbitration, that message.  
2 Q Now, do you think that that kind of statement  
3 is appropriate?

4 A Well, he predicts because of safety  
5 violations, that it's very possible. People predict  
6 things all the time. If you picked up a National  
7 Inquirer, you would see all kinds of predictions  
8 that people make about all kinds of things. He  
9 doesn't get specific. He doesn't name any major  
10 airline, any major flight, any major time or date.  
11 He just makes a blanket statement that he thinks  
12 that -- he told me because of safety violations of  
13 certain airlines, but there's no inference that this  
14 is American or any other airline that I can see  
15 here.

16 Q He told you he was going to make this  
17 prediction on the Dial-A-Racist Hotline?

18 A No. I found out about it when the union  
19 called and let me know that there's something on the  
20 hotline that's not good. So I went and replayed it  
21 and verified it and I said, hey, you got to take it  
22 off, so he took it off immediately. It was only on  
23 for approximately 24 hours.

24 Q Once you said, hey, you got to take it off and  
25 he took it off, was that the end of the

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1 Dial-A-Racist Hotline or?

2 A That was the end of that message. I said  
3 don't be referring to things like that on your  
4 hotline; that's not going to work.

5 Q Was that the end of the Dial-A-Racist Hotline?

6 A No. It stayed on for another three to four

7 weeks and then he shut it down.

8 Q As you pointed out here in the transcript  
9 August 17, 1999, it doesn't mention American

10 Airlines, does it?

11 A What he did here, after he took this off,  
12 redid his message and he explained what he meant  
13 that. He made a retraction.

14 Q But this first one doesn't even mention  
15 American Airlines, does it?

16 A No, nothing. There's no inference of any  
17 carrier or anything.

18 Q I direct your attention to the transcript  
19 the following day, which I think you've just  
20 testified was where he changed the message. The

21 Defendant's Exhibit 20. Have you read that  
22 transcript before today, sir? It states 6:30 a.m.  
23 night August 17th. I just changed my message,  
24 ladies and gentlemen, because certain small  
25 pusillanimous cowards have misinterpreted my me

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1 of this morning. Do you see that?

2 A Yes, sir.

3 Q Do you know what pusillanimous cowards he  
4 referring to?

5 A I don't know what pus -- I don't know what  
6 that means. I'm sorry, I'm not very good at my  
7 vocabulary. I know what a coward is but I don't  
8 know what this other name is. Do you have any  
9 what that means? I don't know.

10 Q Were you -- the next paragraph talks about  
11 this morning I made a prophecy; I had a dream;  
12 saw an airline crash. I saw buildings collapse  
13 you see that?

14 A Uh-huh.

15 Q Did Dennis tell you that he had a dream  
16 that in it?

17 A Yeah. He says he dreams all the time, man  
18 after he has a little too much of that vodka or  
19 whatever he drinks maybe. I don't know, but he  
20 talk about things he sees in his dreams.

21 Q Okay. The bottom of the page he says in  
22 quote, I don't know which airline but probably  
23 said American because they have a bad safety record  
24 closed quote. Do you see that?

25 A Yeah, I do certainly see it.

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1 Q We just read the transcript from the day  
 2 before and it doesn't mention American Airlines,  
 3 does it?

4 A I don't know what he -- it must have been one  
 5 of his heavy inebriation type days.

6 Q So at that point in time at least you knew he  
 7 had made what he called a prophecy of a threat  
 8 against American Airlines; correct?

9 A Yeah. Probably he said American, and yet he  
 10 didn't say American, so I don't know what went on  
 11 there at all.

12 Q That's pretty serious, wouldn't you agree?

13 A If that's what he said, but he didn't --  
 14 probably said American because they have a bad  
 15 safety record. He prophesized that American may  
 16 have an accident because of a bad safety record.  
 17 Well, their safety record has been pretty bad the  
 18 last eight or ten years, but I don't think he meant  
 19 that he's going to make it happen or anybody else.  
 20 It's not really a threat. It's more of just a  
 21 prediction, a dream of something he dreamed.

22 Q Is that an example of somebody that's playing  
 23 it close to the line in terms of constitutionally  
 24 protected speech as opposed to a direct threat?

25 A I would say it is getting close; however, like

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1 I said, legally the FBI was called in to look at  
 2 this and they said you can predict anything; you can  
 3 predict the world is going to break in half, and  
 4 unless you are doing something to make it happen,  
 5 you really can't be arrested for it. So he was  
 6 found -- after an investigation with the FBI, there  
 7 was no cause for any more investigation on it, so --  
 8 he also predicted an earthquake.

9 Q Do you -- as his twin brother working for the  
 10 airline, that's not something you would want to be  
 11 associated with, is it?

12 A Well, I'm not happy he said it. I don't know  
 13 why he said it. My twin brother is a heavy drinker  
 14 and he gets a little wild, but I think he's  
 15 basically a harmless person. He's never hurt  
 16 anybody or caused any pain to anybody. He does say  
 17 things that are somewhat off the cuff, but not too  
 18 many people called. This is not like a big hotline  
 19 thing. I think maybe five calls a night at most. I  
 20 don't know how many calls he got, but I hardly ever  
 21 heard the telephone go off.

22 Q Is it true that the union representing you in  
 23 your grievance asked or told your brother to shut  
 24 down the Dial-A-Racist Hotline for awhile until the  
 25 case was over?

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1 A Yeah. They contacted me about it and I said  
 2 don't know anything about this. He said, well,  
 3 talking about airplane situations. So I confronted  
 4 my brother and said you need to take it off the  
 5 it's really not appropriate, and he said, well,  
 6 change it and explain what I meant by that. So  
 7 I said, he's not a teenager; he's not my dependent.  
 8 He's a very stubborn and very -- sometimes hard  
 9 deal with, but he is my twin brother and I don't  
 10 want to see him get hurt, but he does stupid things.  
 11 I have to admit that. He does do stupid things.  
 12 Q Did the Dial-A-Racist Hotline go off the air  
 13 for awhile while the arbitration was getting re-  
 14 A I think it went off the air not too long ago  
 15 that because at that point in time I was putting  
 16 house up for sale and I started garage saling and  
 17 started giving him my property.  
 18 Q The arbitration was in November of '99;  
 19 correct?  
 20 A Yeah.  
 21 Q And the decision came out in March of 2000?  
 22 A Yeah.  
 23 Q March 8th of 2000?  
 24 A Yeah.  
 25 Q Let me give you direction to turn attention to

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1 direction to Defendant's Exhibit 21. This is  
 2 another certified copy of a transcript by tele-  
 3 recording on 834-4274, which has previously been  
 4 identified as the line going into your brother's  
 5 room at the house.

6 A Uh-huh.

7 Q This is dated April 17th, 2000, so that places  
 8 it after the date of the arbitration decision;  
 9 correct?

10 A Right.

11 Q Bottom of that page it says in part, Daniel  
 12 Mahon has been on this message machine. Do you  
 13 know that?

14 A Has been on or he discussed me on this mes-  
 15 sage machine?

16 Q That was going to be my next question. Was  
 17 literally that you were on it or your name had  
 18 come up on it?

19 A I think my name had come up on it, he  
 20 mentioned my name before, because I never did a  
 21 message.

22 Q Then you have -- he says here in part, my  
 23 brother, Daniel Mahon, has never been political  
 24 active or an activist of any sort; do you see that?

25 A Right.

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1 Q And you've testified to that?  
 2 A I've not been a spokesman for this situation.  
 3 Q Then he goes through kind of talking about his  
 4 view of your belief system and he concludes but he  
 5 does support certain things I believe in?

6 A Yeah.

7 Q But he does not believe in everything I  
 8 believe in?

9 A That's probably correct.

10 Q What type of things that Dennis believes in do  
 11 you support?

12 A Oh, just Second Amendment rights, opposed to  
 13 uncontrolled immigration. I think that's wrong.  
 14 High taxation for sure. That's about really all I  
 15 believe in that he believes in. I believe in  
 16 freedom of association. That's -- you should have  
 17 the right to have the friends you want to have.

18 Q The vice-president involved in your  
 19 termination was Greg Hall; correct?

20 A Right. Greg Hall was his name.

21 Q And you didn't think very highly of him, did  
 22 you?

23 A Well, he called me Dennis twice at the  
 24 meeting. That kind of put everything on a bad  
 25 footing when he knew who I was. I thought that was

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1 a little bit tacky of him to do that.  
 2 Q Are you aware that, as is reflected in this  
 3 message, that your brother spun a tale about how he  
 4 had circumvented somebody's \$2,500 security system  
 5 and left his calling card on the person's kitchen  
 6 table?

7 A I don't have the slightest idea what we're  
 8 talking about here.

9 Q Page 4. I'll read it. Okay, quote, a friend  
 10 of mine just got a \$2,500 security system put into  
 11 his house he just moved into and we had a little  
 12 talk and I said look, you took off the day and I  
 13 will show you how fast I can circumvent your  
 14 security system and I will put my calling card on  
 15 your kitchen table. Okay. It took me approximately  
 16 three and a half minutes to totally neutralize his  
 17 \$2,500 security system, take out video cameras and I  
 18 was able to jimmy a window, get in and put my  
 19 calling card on his kitchen table. In less than a  
 20 minute and a half I was gone. Ha, ha. How do I  
 21 know how to do this? Because one of my best friends  
 22 was an installer and he knows. There's basic things  
 23 that these systems have to have and without these  
 24 two basic things, you ain't got no security system.  
 25 So a lot of my enemies are spending a lot of on own

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1 security systems but that don't make you secure,  
 2 boy. Does that refresh your recollection?  
 3 A Well, this is the first time I've seen it  
 4 it must be something he put on there. I don't know  
 5 who he's talking about. He did have some enemies  
 6 Congressman Kees was one of the biggest ones and  
 7 tried to implicate my brother in that bombing, that  
 8 time. He actually wrote a book about it. That  
 9 one of his big enemies. Maybe talking to somebody  
 10 like that. I don't know. I don't know who he's  
 11 talking to. He had a lot of imagined or real  
 12 enemies that I know of, mostly imagined I'm sure.  
 13 Q Do you agree that that could be read to him  
 14 conveying to somebody that he could come defeat  
 15 somebody's security system and do harm to them?  
 16 A He was referring it to some other person I  
 17 who?  
 18 Q Well, kind of like the prophecy, he's not  
 19 saying it himself but he's saying I can envision  
 20 situation where this could happen to somebody?  
 21 A I guess anybody could do that if they knew  
 22 about electronics and how security systems work.  
 23 don't recall him ever working in a security  
 24 business.  
 25 Q Was your brother an avionics mechanic also?

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1 A No. He was systems, hydraulics and structural  
 2 He has no interest at all in electronics at all.  
 3 Q Next page, 5, talks about, quote, now Ameri  
 4 Airlines update. Okay. Because of the publici  
 5 that Tom Metzger has -- has mentioned about my  
 6 brother losing his career, his hotline and my  
 7 hotline, we have received over \$3,000 in cash  
 8 donations in a little over two weeks from people  
 9 over Oklahoma and Tulsa and some from out of state.  
 10 They are so angry this 37-year old punk, race  
 11 traitor, the vice-president of maintenance at  
 12 Tulsa's engineering and maintenance section fir  
 13 Dan viciously and illegal, closed quote. Is he  
 14 referring to Greg Hall?

15 A I don't know how old Greg Hall was.

16 Q Is that who he is referring to?

17 A It's possible. I don't know. He's talkin  
 18 about this money. I received a lot of money fr  
 19 lot of people when I was discharged.

20 Q Did you keep track of who you got it from  
 21 how much?

22 A Some, but there were some people that felt  
 23 that I was wrongly treated and I did get some c  
 24 from some generous people out there.

25 Q Do you recall who sent you money?

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1 A Just different people.  
 2 Q Don't recall any of their names?  
 3 A No. Some of them were just anonymous.  
 4 Q Were all of them anonymous?  
 5 A No. One of them wasn't from an American  
 6 person. Most of it came from a guy in another state  
 7 that heard about it.  
 8 Q Tell me who that was.  
 9 A He's deceased now.  
 10 Q Who was it?  
 11 A I'd have to look up -- oh, gosh it was a  
 12 donation. It's been so long. He's -- I don't  
 13 remember his name now.  
 14 Q What was his connection with you?  
 15 A He was a friend of my brother's and heard  
 16 about my demise and he sent -- he's a millionaire.  
 17 He's an inventor, and I can't remember the guy's  
 18 name but --  
 19 Q Do you remember where he lived?  
 20 A Up in the northeast area. He's from that part  
 21 of the country.  
 22 Q Was it Dr. Pierce?  
 23 A No, it wasn't Dr. Pierce. He died way before  
 24 Pierce.  
 25 Q If you think about that name, let me know.

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1 Okay?  
 2 A I didn't get no 6,000, though. I wish.  
 3 Q Page 7, bottom of the page, talks about being  
 4 sold out by politicians for the last 60 or 70 years  
 5 and states, ladies and gentlemen, it's too late,  
 6 referring politically. Quote, the only solution for  
 7 white man now, the white man now is a violent  
 8 revolution I'm afraid or maybe a depression or  
 9 something, closed quote. Do you see that?  
 10 A Last page it was?  
 11 Q Bottom of Page 7.  
 12 A Oh, there it is, okay. I see it.  
 13 Q Does this reflect your brother's ideas as far  
 14 as you know?  
 15 A Well, it's his hotline, his message. As far  
 16 as depression, I don't know about that, but a  
 17 revolution, I don't know if the Arabs are going to  
 18 start something or not. Looks like they've already  
 19 started stuff in this country. It's just his  
 20 opinion. Like I said, I don't know what he means  
 21 totally by it but I guess there's some kind of an  
 22 upheaval coming. A lot of Christians have been  
 23 saying that for years.  
 24 Q And you condone such a message like that even  
 25 after your arbitration decision in March?

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1 A I don't condone or approve of anything he  
 2 does.  
 3 Q But you allowed it to happen under your own  
 4 roof; right?  
 5 A Well, like I said, it's his answering machine;  
 6 it's his bedroom; it's his life; it's his right  
 7 as a citizen of this country to say what he wants  
 8 to say until he presents a clear and present danger  
 9 to anyone or anything, constitutionally protected  
 10 of free speech. I don't particularly care for  
 11 he says, but he's a big boy. So am I, but -- at  
 12 least he was watching and not getting in any more  
 13 serious trouble.  
 14 Q Let me show you what's been marked as  
 15 Defendant's Exhibit 22. It's a March 12th, 2000  
 16 printoff of the Aryan Update from Terrible Tommy  
 17 Metzger's website. I believe you testified that  
 18 you were aware that your name and situation was being  
 19 discussed publicly on Mr. Metzger's --  
 20 A Right. I was aware of that.  
 21 Q The second -- beginning that the bottom of  
 22 Page 1; Terrible Tommy Says speaking of anal  
 23 orifices, our friend, the Mahon brothers, have  
 24 shafted by American Airlines again in Tulsa  
 25 Oklahoma. Do you see that one?

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1 A Sure do.  
 2 Q Have you read that before today?  
 3 A I think he was referring to when Dennis was  
 4 hired in 1997, and he worked less than one day  
 5 before he was terminated.  
 6 Q Go on to the next page, second paragraph.  
 7 Dennis lives with his brother, Danny, who is now  
 8 involved in his brother's operations. Several  
 9 months ago American Airlines, where Danny worked,  
 10 conspired to rid themselves of Danny's presence  
 11 you see that?  
 12 A Right.  
 13 Q Do you agree with the characterization of  
 14 the situation at American Airlines?  
 15 A Conspired to rid themselves, there's some  
 16 truth to it I think, yeah.  
 17 Q Were you fired for the most part for having  
 18 a brother who would not knuckle under to anti-white  
 19 attacks from the Iron Heel?  
 20 A I think I was harassed and basically conspired  
 21 to be terminated because of my brother's ideals  
 22 and his political activities, yeah, I think so  
 23 convinced of that.  
 24 Q Is there truth in that the arbitrator  
 25 commented off the record that if Mahon had been

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1 black, he would be sitting in a beach in a townhouse  
 2 with the money a good lawyer would have gotten out  
 3 of American Airlines?  
 4 A Arbitrator? No. I think that was a statement  
 5 by one of the committeemen.

6 Q Who?  
 7 A I think Mike Rial made that statement to me  
 8 before the arbitration.

9 Q Read the rest of that section to yourself and  
 10 tell me if there's anything about it that you  
 11 disagree with, please.

12 A Are we talking about the airline being  
 13 convicted of a felony?

14 Q That whole article.

15 A Just this page here?

16 Q Well, as you can see, it's kind of an article,  
 17 if you will. It goes on to the next break with  
 18 stars.

19 A Well, looks like one man's opinion of what is  
 20 going on with the airline industry. I don't know if  
 21 all this stuff is factual or not. I know American  
 22 has been sued by a lot of black and Hispanic  
 23 workers, and the Value Jet guy knew who was involved  
 24 in that. He was a Hispanic man, but he used to work  
 25 for -- he worked for jet, Value Jet.

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1 Q That's specifically about you, isn't it?  
 2 A Yeah, a lot of it is. This first two  
 3 paragraphs here is.

4 Q Were you aware that Metzger was putting this  
 5 on his website and publishing it to the nation?  
 6 A No. I don't have a computer at the time. I  
 7 still don't have one. I use one at work, but I  
 8 didn't know that this was put on there. Nobody at  
 9 American let me know about it. My brother doesn't  
 10 have any access to a computer.

11 Q Is it your testimony, whether you looked at it  
 12 yourself on the computer or not, you weren't aware  
 13 that Metzger was talking about you?

14 A I had no idea this was on his website at all.  
 15 I don't have --

16 Q Do you approve of or endorse the comments that  
 17 he made about you in this article?

18 A I don't approve of him putting my name in his  
 19 publication, no, or anything. I don't like him  
 20 using my name. Dennis is fine but I don't like him  
 21 using my name, and he was told about that. He's  
 22 another stubborn soul.

23 Q Did you know the Reverend Bob Butler?

24 A Robert Butler?

25 Q Yes, sir.

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1 A Yeah. I was up there one time.

2 Q Who is he?

3 A He's a pastor of the Aryan Nations Church  
 4 Jesus Christ Christian. I went up there to set  
 5 table and sold a bunch of crap and made some mo

6 Q Did you ever say that threats are counter

7 productive and it would hurt the Klan image?

8 A Did he ever do that?

9 Q Did you say that?

10 A Did I ever make threats to hurt the Klan's  
 11 image?

12 Q Let me rephrase. Did you ever say to anyb

13 threats are counter productive and hurt the Klan

14 image?

15 A I don't recall saying that.

16 Q Do you believe that?

17 A Threats -- I don't know. Threats are thre  
 18 People do it all the time. Like I said, I wasn  
 19 involved in the Klan that much except just to o  
 20 a little bit of help with the video and audio.

21 brother I think tried to reform it. He tried t  
 22 the crap out of it and tried to get people educ  
 23 and get off the violent talk, and he got beat u  
 24 times for that. Some of the people turned on h

25 so he said probably -- there's going to be good

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1 bad people. There's some Klansmen that I think  
 2 -- some of them just want to be proud of who th  
 3 are.

4 Q Have you ever expressed your views on raci  
 5 pride?

6 A Publicly, no.

7 Q Privately?

8 A Privately, I just said we've done a lot fo  
 9 the world, a lot of inventions, a lot of technic  
 10 but nothing derogatory to another. I never sa  
 11 anybody is inferior, superior. I'm just saying  
 12 white race had a lot of a creativity, and now I  
 13 think the Chinese and Japanese have taken over  
 14 the advancements in electronics and technology.  
 15 I've never said anything bad about any particu  
 16 other peoples.

17 Q Have you ever expressed or said words to t  
 18 effect that if all white men took off three day  
 19 from work at the same time the country would st

20 A I don't recall. I just said we needed to  
 21 unionize. The unions need to be stronger and s  
 22 getting more militant with the companies because  
 23 they're sending all this stuff overseas. I hav  
 24 mentioned that several times to the union.

25 Q But you never -- is it your testimony you

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1 never said that in the context that without white  
 2 men, our economy as we know it could not function?  
 3 A I don't recall saying that.  
 4 Q Do you believe that?  
 5 A Our economy right now, it would function --  
 6 without Mexican labor in this country, our economy  
 7 would fail because we don't have enough people to do  
 8 it. That's kind of the way things are going. We're  
 9 depending on foreign labor to do all the manual  
 10 labor now. Nobody wants to do the dirty work  
 11 anymore. I've said that many times but I don't  
 12 know. The white race to me is -- everybody is just  
 13 hanging on. Everybody -- I got more in common with  
 14 poor working class blacks than I do with rich white  
 15 people.

16 Q Look at Exhibit 13, please. I'm going to hand  
 17 you. This is the written statement of Keith Kelly  
 18 that was entered in your arbitration concerning the  
 19 events of the March 9, 1999 Caucasian employee  
 20 resource group. Do you know the document I'm  
 21 talking about?

22 A I'm not sure what we're --

23 Q Please read it to yourself and my question, as  
 24 you are reading it so you can answer it afterwards,  
 25 is what about this, if anything, is untrue?

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1 A He was really good at doing research on the  
 2 library and Internet. My brother was computer  
 3 illiterate. That's definitely a false statement  
 4 there. I don't know about the rest of it.

5 Q Go ahead and read the rest of it.

6 A Said talked about Carol Howe and a bombing at  
 7 a crew meeting.

8 Q Did you?

9 A No. I never mentioned that woman at all. I  
 10 saw his car and filmed a Second Amendment rally and  
 11 saw an AA sticker on his windshield. Talked about  
 12 the trouble that caused him. I don't have any  
 13 problem with that sticker. What Second Amendment  
 14 foundation. I haven't the slightest idea what he's  
 15 talking about. Ten years ago he was wearing an  
 16 Aryan nations belt buckle and trying to talk to me  
 17 at great length about what he and his brother were  
 18 doing. Dan offered me books and tapes. This guy is  
 19 a supervisor. He wasn't in my work area, this guy  
 20 Kelly. He was not ever in my work area. If he did  
 21 come over, he tried to entice me to talking about  
 22 selling books, World War II books and books about  
 23 Germany, and he was in violation of company  
 24 regulations to go out of his work area to incite  
 25 this type of talk.

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1 Q So is that not true?  
 2 A That's not true. His brother was on the T  
 3 show 20/20 discussing neo-Nazi philosophy in  
 4 Germany. I don't know if he was on 20/20 or no  
 5 He was on one show but it wasn't 20/20, and he  
 6 wasn't really talking neo-Nazi stuff in Germany  
 7 was there visiting the bombed-out church and pu  
 8 bouquet of roses on it is what he did. Offered  
 9 book and tapes? I offered him books and tapes  
 10 Adolf Hitler. Why would I want to offer somebo  
 11 I mean I'd sell it to him. If I had some histo  
 12 books on that subject, I probably would sell it  
 13 don't ever give that stuff away to anybody. He  
 14 would have to go to a gun show to even see that  
 15 of stuff. Tapes, I have a lot of German marchi  
 16 songs of that era, Luftwaffe and the Kriegsmarin  
 17 which is the German Navy. I did collect a lot o  
 18 those old marching songs, but I told him -- his  
 19 brother is an ex-Grand Wizard. He was never a G  
 20 Wizard of anything. He was the -- they call it  
 21 Imperial but not a Grand.

22 Q Is Imperial below the Grand?

23 A I'm not really sure. It's different, I kn  
 24 that, in Missouri when he was in that thing. A  
 25 of this stuff is all -- this thing about Intern

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1 Library Internet, that's totally inaccurate. I  
 2 my brother didn't even know what a computer was  
 3 then. Well, he also -- this individual got one  
 4 the literature. Instead of telling his people  
 5 to let it go out, he let it out, and at that time  
 6 became -- flew to Dallas with it and created a  
 7 stink, but this man could have stopped that thi  
 8 from going out because he saw it first.

9 Q Tell me about that.

10 A It came out in the arbitration. It's all  
 11 the arbitration notes.

12 Q Did you give it to him to review before it  
 13 published?

14 A No. Linda Dill and he came by the fair an  
 15 looked it over and just took it with them inste  
 16 immediately come back and saying that's it.

17 Q So you don't mean to say he was shown it  
 18 before you all actually showed up at the fair a  
 19 passed it out; right?

20 A No. He showed up right at the fair when it  
 21 started and reviewed it and instead of stopping  
 22 right there, he just kept it and let it go for  
 23 hours and let more people get it.

24 Q You don't know whether he looked at it, do  
 25 you?

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1 A He took it. I would imagine he looked at it  
 2 if he took a copy of it. I think it's in the  
 3 arbitration notes on that.

4 Q Do you recall his testimony when he said that  
 5 he took it and stuck it in his pocket and didn't  
 6 look at it until sometime later after he started  
 7 getting calls?

8 A You can do that, too, if you want to, but I  
 9 would imagine someone getting that literature,  
 10 anything controversial would be looked at pretty  
 11 quickly.

12 MR. FRAZIER: David, we take a break?

13 MR. CORDELL: Sure.

14 (Following a short recess at 4:40 p.m.,  
 15 proceedings continued on the Record at 4:47 p.m.)  
 16 Q Sir, I'm going to hand you a document marked  
 17 Defendant's Exhibit 38. It's some documents that  
 18 were produced out of your records. Identify that  
 19 for me, please.

20 A Yes.

21 Q What is it?

22 A It's just kind of a compilation of the events  
 23 that took place at that April 20th meeting.

24 Q It has your signature on the bottom, does it  
 25 not?

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1 A Yeah, May 10th.

2 Q So was this prepared the day that you were  
 3 terminated?

4 A Right, that same day.

5 Q Before or after the 29F meeting where you got  
 6 your final advisory?

7 A Yeah, this was probably after the final  
 8 advisory came out, probably the very next day.

9 Q Well, it's dated May 10. Was that the day you  
 10 wrote it?

11 A That's what I said, yeah. Well, yeah, May  
 12 10th in the morning is when I got called in, that's  
 13 right. So it would have been later on that day,  
 14 that's right.

15 Q What was the reason for you writing this  
 16 statement at the time?

17 A Just to keep a current memory. It's kind of  
 18 like just what happened why it was still fresh in my  
 19 mind in print.

20 Q Did somebody asked you to prepare it?

21 A No. I did it on my own.

22 Q Did you give a copy of it to the union?

23 A I'm sure I did.

24 Q Is it entirely factually correct?

25 A I would say it's factual to the best of my

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1 Knowledge what happened, I didn't have a tape  
 2 recorder going but I would say, yeah, I would say  
 3 it's factual.

4 Q Could you testify any better about it today  
 5 terms of your recollection than you could at the  
 6 time you were recalling the events on May 10, 1999?

7 A Gosh, probably not. I mean we're talking  
 8 years ago.

9 Q I hand you what's marked as Defendant's  
 10 Exhibit 34. Identify that for the Record for me  
 11 please.

12 A It's just a rough copy of the chronological  
 13 history of some of what I feel is harassment and  
 14 intimidation at AA.

15 Q It's dated May 12th, 1999; is that correct?

16 A Did I put a date on it? May 12th, right.

17 Q You certified that the previous statements  
 18 factual and true; is that right?

19 A I did.

20 Q Who were you making the statement for?

21 A I think I made this to the union and also  
 22 any attorneys that might take a look at this case  
 23 just to give added info to the case that this  
 24 harassment had been going on for numerous years  
 25 before I got terminated.

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1 Q Were you consulting with lawyers between  
 2 date of your termination, May 10, 1999, and the  
 3 of arbitration in November of that year?

4 A No, I wasn't. I really hadn't had any --  
 5 after the arbitration decision did I start a  
 6 hunt.

7 Q Did you plan on suing American Airlines even  
 8 since you got fired even if you got reinstated?

9 A When -- after the arbitration, the union  
 10 committeeman said after this is all over, you  
 11 to sue American from everything they've got.

12 Q Is that Mr. Rial or J. C. Brown?

13 A I think it was Mr. Rial, Mike Rial. He's  
 14 longer in that position anymore. He's no longer  
 15 union committeeman.

16 Q I hand you what's marked as Defendant's  
 17 Exhibit 35, once again a set of notes produced  
 18 your records dated February 14, 2001. Identify  
 19 that, please.

20 A Something I wrote post day termination,  
 21 a flight I was on, a TWA flight, and the flight  
 22 cancelled due to mechanical and I was directed  
 23 the AA counter, and they -- this is way before  
 24 They took me off to the side immediately and p  
 25 off to the side and asked me to get my luggage

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1 walk about 400 feet down the terminal to the X-ray  
 2 machine, and I thought it was a little unusual that  
 3 that happened. I thought it was somewhat  
 4 suspicious, and I just took note of it. That's all  
 5 there is.

6 Q Is it completely -- is Exhibit 35 factually  
 7 correct?

8 A For the most part, I would call it factually  
 9 correct. It's written right after it happened, so I  
 10 would say it's factual.

11 Q Handing you what's been marked as Exhibit 36,  
 12 once again it's some more notes produced from your  
 13 files. Is that your handwriting?

14 A It certainly is. It's my penmanship.

15 Q Did you prepare this document?

16 A This document, yes, I did.

17 Q I know we've talked about some witnesses and I  
 18 don't want to go back over old ground. Look at No.  
 19 7, Eric Hanson. You say in part Eric was first to  
 20 tell me about the flyer, the notice on the bulletin  
 21 board the day of the April 20 CERG meeting. Eric  
 22 noted how surprised I was upon learning of the  
 23 bulletin board flyer.

24 A Are we talking about --

25 Q That page front page, yes.

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1 A Am I on the right one here?

2 Q It's on the back side of the first page, sir.

3 A I'm sorry. Okay. I got it. Okay.

4 Q And that is Mahon 149 for the Bates record  
 5 reference.

6 A Yeah. Eric was on my crew. He told me about  
 7 the flyer on the bulletin board.

8 Q What do you mean by Eric noted how surprised I  
 9 was upon learning of the bulletin board flyer?

10 A Well, he noted that I had no idea about this  
 11 meeting because I jumped up and I said I got to ask  
 12 the supervisor if I can get off for a couple of  
 13 hours. So that's the first thing I said, I want to  
 14 go to the meeting, I need to get permission. So I  
 15 talked to my crew chief first because you go through  
 16 the crew chief and then go to the supervisor because  
 17 the crew chief knows how much work has to be done  
 18 and what the manpower is, so you go through him  
 19 first and then you go through the supervisor on the  
 20 dock to see if it's okay. Both said it was okay.

21 Q Earlier today you mentioned the name of Floria  
 22 Washington. Did you know her prior to April 20,  
 23 1999?

24 A Floria Washington, no. I never met her  
 25 before. She is from Dallas and she heads up the

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1 diversity program, one of the people that heads  
 2 the diversity program, and she mentioned at the  
 3 arbitration that she didn't find anything unusu  
 4 bad about the letter. She said it didn't look  
 5 a message of hatred is basically what she said.  
 6 think she said it looked like they're just toot  
 7 their own horn, which all of them do.

8 Q The Record will reflect what in fact she  
 9 testified to, but let me ask you this: Did you  
 10 that Floria Washington is African American?

11 A Yeah. She was at the meeting, at the  
 12 diversity or the arbitration. She testified for  
 13 this.

14 Q Do you recall her also being at the April  
 15 1999 meeting where Greg Hall said certain things  
 16 that you testified about?

17 A Yeah, I believe she was at another table,  
 18 right.

19 Q Mr. Robert Hosey, do you know who that is?

20 A Yeah, I certainly do. Most of the people  
 21 remember him there. He made a statement that was  
 22 little bit shocking.

23 Q And what was that statement?

24 A The question arose at the meeting of why the  
 25 homosexual lesbian group received \$75,000 cash.

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1 advertise in some of the gay publications around  
 2 country. That was a big question. Mr. Robert  
 3 answered that question, I quote verbatim, in the  
 4 '60's most of the people that flew our airline were  
 5 fat white families he said, but now we have a  
 6 diversified flying public, including people of  
 7 different genders and different sexual -- what  
 8 the words -- alternate lifestyles. Exactly what  
 9 he said, of alternate lifestyles, and this is the  
 10 reason why the GLEAN group, the gay lesbian emp  
 11 action something group, received this big grant  
 12 money, and that was -- when he said that statem  
 13 about white fat families, there was a silence that  
 14 you could hear a feather hit the floor.

15 Q Were you present in that meeting?

16 A (Witness nods head up and down).

17 Q Where did that meeting occur?

18 A That was the last CERG meeting, last meetin  
 19 on April 20th.

20 Q Are you sure about that or was this a repo  
 21 that was given to you?

22 A I heard it and several of these witnesses  
 23 heard it. There were numerous people that -- W  
 24 Taube was there; he heard it; he was sitting ne  
 25 me. There were other members present that heard

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1 statement.

2 Q Through what you saw, what race is Mr. Hosey?  
 3 A He's African American. I had never seen him  
 4 before. I think he comes from Dallas and he arrived  
 5 from Dallas for the meeting.

6 Q Knowing what you did about The Turner Diaries  
 7 T-shirt and wearing it at that time, did it ever  
 8 occur to you that African American persons attending  
 9 that meeting might be greatly offended and  
 10 intimidated?

11 A I don't think anybody knew anything about it.  
 12 Most people -- like I said, I didn't notice anyone  
 13 looking at me, except when I talked to Mr. Hall. I  
 14 didn't notice any unusual looks or any type of  
 15 gestures that would appear that anybody had a  
 16 problem. There was no complaints about the T-shirt  
 17 the rest of the work day.

18 Q Look back at Defendant's Exhibit 33, please.  
 19 These are your May 10, 1999 notes. Two paragraphs  
 20 above your signature.

21 A Which one is it? 33?

22 Q Yes.

23 A Here it is. The first page?"

24 Q Second page, two paragraphs above your  
 25 signature.

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1 A Two paragraphs, okay.

2 Q You state, quote, The Turner Diaries has not  
 3 been in the news or media in over four years. I  
 4 would estimate that nine out of ten people have not  
 5 heard of The Turner Diaries, let alone ever read  
 6 them, closed quote.

7 A Yeah, I wrote that. Ever since the McVeigh  
 8 situation, there wasn't any mention of it that I  
 9 ever heard on the media, the TV or the newspaper.  
 10 Most people I think -- even the union said they were  
 11 asked questions and most people said Ted Turner, a  
 12 book about Ted Turner. They didn't have any idea  
 13 what the book was about.

14 Q But you knew about it even back at the time it  
 15 first received media publicity, didn't you?

16 A Yeah, I'd heard of it book, yeah. That's what  
 17 piqued my interest in picking up a copy of it  
 18 because somebody said McVeigh -- the book told  
 19 McVeigh what to do, but I think it wasn't a huge  
 20 part of the book, so --

21 Q Turn now, if you will, to the long page  
 22 document we talked about some. Defendant's Exhibit  
 23 41. For the Record reference it's on Page 121, and  
 24 on your handwriting top right it says Page 7.

25 A Okay. I have Page 7 here.

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1 Q In the middle of the paragraph, it says Mr.  
 2 anyway, during the meeting Mr. Hall described t  
 3 flyer as neo-Nazi and white supremacist, et cetera.  
 4 He said any belief system is recruiting and any  
 5 recruiting will be terminated. Is that true he  
 6 that?

7 A He did say that. He said any belief system  
 8 that are recruited will not be tolerated.

9 Q Do you then say in this regard, quote, I g  
 10 anyone who may have personal beliefs that don't  
 11 his standards will have to go, exclamation mark.  
 12 A Yeah. I had an opinion or the impression  
 13 that's what he was saying, that I make the decision  
 14 who believes what here. That's the impression  
 15 from the statement.

16 Q And you don't agree with that I take it?

17 A No. I don't believe anybody should dictate  
 18 other people's religions or belief systems.

19 Q All right. At the bottom of that same page  
 20 hope you didn't put it away, you say normally the  
 21 company policy is to order the employee to go  
 22 or to change or turn it inside out, referring to  
 23 T-shirts. I received no complaint from anyone  
 24 day it was worn. I had worn on numerous times  
 25 before with no problems. Do you see that?

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1 A I had worn on -- I had worn -- I don't know  
 2 I was referring to that T-shirt or not. I had  
 3 something.

4 Q Isn't it your testimony that the only time  
 5 I wore The Turner Diaries T shirt was on April 20th?

6 A Yeah. I had worn other T-shirts that were  
 7 controversial. Like I said, I wore the one with  
 8 Clinton, several NRA T-shirts, but not that one.  
 9 I had worn similar T-shirts on numerous times but  
 10 that one.

11 Q But not ones that expressed --

12 A Not The Turner Diaries.

13 Q -- racial cleansing and murder of races;  
 14 right?

15 A Yeah. I just wore pro-gun T-shirts.

16 Q Let me hand you what's been marked as  
 17 Defendant's Exhibit 42. This was taken from your  
 18 files and begins with Bates' stamp 131. Do you  
 19 recognize your signature on the second page?

20 A Yeah.

21 Q Is this a letter that you drafted?

22 A Oh, I think this is -- I don't know who wrote  
 23 this letter, if it was -- to tell you the honest  
 24 God truth, I don't know where this came from.  
 25 I didn't type it. I could never type that good.

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1 doesn't say where this -- I can't recognize this  
2 thing at all.

3 Q But that is your signature on it?

4 A Yeah. It was addressed to Turpen.

5 Q Former attorney general of Oklahoma; correct?

6 A Right. I went to him to check on this case to  
7 see if he would take the case.

8 Q Did you actually meet with him?

9 A I met with his secretary and she took the  
10 input in the input section, and then I got contacted  
11 that he would not take the case, but I just don't --  
12 this is obviously a very professionally done deal.  
13 It had to be done by an office -- I may have had  
14 people do it. I just don't remember doing this. I  
15 didn't type this. I may have sent this in but it  
16 had to be typed by another entity like Kinko's or  
17 another supply company of some kind.

18 Q Also looks like maybe you addressed it or sent  
19 it to Mr. Rex Thompson. Who he is?

20 A He's one of the attorneys.

21 Q With whom?

22 A With the Turpen group. He's one of their  
23 associates. I mean I'm sure I did it. I just don't  
24 remember typing this. I maybe went to an office  
25 supply company and had them professionally --

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1 I'm sure we could have resolved that in some other  
2 manner, but I'm very confused about this last one  
3 here.

4 Q Isn't it true this really all has to do with  
5 how the company dealt with Dennis Mahon's -- ex-  
6 me. Daniel Mahon, even though I made the mistake  
7 Isn't it true that this is all about how the company  
8 dealt with Daniel Mahon; it doesn't have anything  
9 else to do with anybody else at the company?

10 A This should not -- my brother should never  
11 involved in this whole affair. He had really  
12 nothing to do with it, and all the accusations  
13 innuendos about my brother, I think, were uncalled  
14 for. I think the main thrust of this whole fir  
15 was due to his activities. I've done nothing to  
16 warrant that type of treatment. I've been a good  
17 employee up until that point. If there was a  
18 mistake made, it was a mistake in judgment. I  
19 it could have been resolved in a much more  
20 appropriate manner than how it turned out. That  
21 the only thing I can say about it.

22 Q Mr. Mahon, nobody else did the same thing  
23 did at American and was treated any differently  
24 they?

25 A Everybody else that wore a T-shirt that p

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1 Q The next to the last statement says, and I  
2 quote, in point in fact, the company fired me  
3 because of the company's perception, open paren,  
4 albeit erroneous perception, closed paren, of my  
5 social and political beliefs, closed quotes; is that  
6 accurate?

7 A Pretty much so. I think I was fired for --  
8 not necessarily for beliefs but for the perception,  
9 erroneous firing. I don't understand what point in  
10 point in fact -- I don't think I could ever think --  
11 what does that mean? I don't know what -- what does  
12 that mean, in point in fact? I don't know. I just  
13 don't know where that came from.

14 Q Isn't that a pretty good summary of what this  
15 is all about, that you feel like you were terminated  
16 because of your political and religious beliefs?

17 A Perceived religious and political beliefs, a  
18 perception that people had are probably false. They  
19 assumed that I believed certain things. They  
20 assumed I did certain things, which I don't. It was  
21 all probably a big misunderstanding for the most  
22 part, but there was no offer of any type of  
23 counseling or any type of -- there's no way they  
24 tried to resolve the problem at all. It went all  
25 the way to a termination rather than work with me.

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1 found offensive, which were many, were asked to  
2 kindly go home and change it, put a pair of --  
3 out a pair of coveralls. There was no complaint  
4 made that day it was worn. Another person wore  
5 same T-shirt, had no problem. American Airlines  
6 should have went to a uniform policy, paid uniform  
7 policy like the other airlines did many, many  
8 ago and they never would have had these problems  
9 with T-shirt. Everyone I worked for since then  
10 even at the little tiny outfit in Rockford, Ill.,  
11 supplied workshirts with your name. It's good  
12 morale to have everybody wearing the same apparel  
13 anyway, but that's one solution I think they should  
14 have looked at, and they never did anything about  
15 that either.

16 Q Are you aware that you have made the statement  
17 that you believe that what happened to you entitled  
18 you to be paid 10 million dollars?

19 A That's a good long figure. There are people  
20 that made a lot more in litigation. I hope we  
21 resolve this in some other way. 10 million is a  
22 high amount, it absolutely is, but sometimes  
23 corporations have to be taken to task through  
24 monetary judgments to not do same mistakes again.  
25 think it was a mistake what they did. I don't

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1 to see this happen to anybody ever again. I have  
 2 hundreds of people I like out there, good  
 3 associates, good workers. I don't want to see this  
 4 happen to anybody else, black, white, Muslim,  
 5 Christian, Jewish. I don't want anybody to go  
 6 through what I've gone through for wearing a  
 7 T-shirt.

8 Q We also asked you the question of in essence  
 9 whether you want to be reinstated or go back to work  
 10 for American Airlines. Do you recall that?

11 A Yes, I do recall that. I wouldn't mind  
 12 getting reinstated but not in Tulsa, only in an out  
 13 station like Chicago.

14 Q Do you believe that would be workable in light  
 15 of your history with the company?

16 A An off station would be workable, not in  
 17 Tulsa. Just too much I guess you call it bad blood,  
 18 too much controversy.

19 Q I hand you what I'm marking as Defendant's  
 20 Exhibit 37 regarding your employment inquiries as of  
 21 October 9, 2000. This is a collection of documents  
 22 from your files that have appeared to do with your  
 23 job search. My question is simple. Is this a  
 24 complete record of all the efforts as of October 9,  
 25 2000 you had made to find another job?

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1 Alaska called me before I even -- I applied with  
 2 Alaska before Aero Taxi went under and I went to  
 3 for an interview before we actually got laid off  
 4 then they hired me about a month later.  
 5 Q I hand you what's been marked as Defendant's  
 6 Exhibit 38, which appears to be minutes of a  
 7 Caucasian employee resource meeting dated Febr  
 8 9th, 1999. This likewise came from your files,  
 9 Bates stamped 137. Do you recognize that, sir?

10 A Page 38 or Exhibit 38?

11 Q Yes, sir.

12 A I do recognize that. That's their agenda  
 13 that meeting I think it was or issues that were  
 14 presented.

15 Q Are these minutes of the meeting or an age  
 16 for the meeting? Let me give you a suggestion.

17 A Must have been minutes because they had  
 18 attendance and they had time start and time stop  
 19 So it must have been the minutes of what took p  
 20 during that last meeting on the 9th.

21 Q Did you start receiving minutes from the C  
 22 before you joined?

23 A I think I got this at the first meeting th  
 24 was allowed to go see or to -- I was a member at  
 25 this time but they have these there and were

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1 A I don't see United on here. That's one that  
 2 appears to be missing is United. The rest of them  
 3 are complete.

4 Q Last page of this exhibit appears to be in  
 5 somebody's handwriting, probably not even yours,  
 6 that talks about what you were making where, how  
 7 much you had in life insurance, et cetera. Do you  
 8 recognize that handwriting?

9 A Last page?

10 Q Of that same exhibit.

11 A I don't see it.

12 Q Maybe it came off. It's the second page,  
 13 Bates 136.

14 A Okay.

15 Q Is that your handwriting?

16 A Yeah, looks like it.

17 Q Is this an accurate summary in what you were  
 18 making, where, et cetera, like we talked about  
 19 earlier today?

20 A I never did work for Wisconsin Air but Aero  
 21 Taxi at 14.50, yeah.

22 Q This appears to me to be at the point in time  
 23 where you were choosing to go to Alaska Airlines  
 24 lines?

25 A Right, I think it was because this happened --

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1 distributed to everybody. They don't normally  
 2 distribute to these at every meeting. The meet  
 3 before they --

4 Q Approved the minutes?

5 A Must have approved these minutes. That's  
 6 they said basically the minutes look like.

7 Q Did you circle the issue about the gay tes  
 8 alliance against defamation?

9 A I don't remember circling that, but that w  
 10 one of the issues they were going to bring up.

11 Q I hand you what's been marked as Defendant's  
 12 Exhibit 39, a memorandum to all base maintenance  
 13 employees dated January 28th, 1997 from Larry  
 14 Lester, also contained in your files. Do you  
 15 recognize that document, sir?

16 A Well, I don't recognize it but I'm sure it  
 17 looks like something that was put out by the  
 18 management, yeah.

19 Q Do you understand this is evidence of a  
 20 communication by management as of the expectatio  
 21 all employees to adapt to and support a diverse  
 22 workplace?

23 A It's not a read and sign. It's just a gen  
 24 handout that they put out at the base.

25 Q And you kept a copy of that in your files

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1 some reason; is that right?  
 2 A I don't know how I got this, but January 28th,  
 3 '97. I don't know if I would have kept it that  
 4 long.  
 5 Q Finally, let me hand you what's been marked as  
 6 Defendant's Exhibit 40. It's more housekeeping.  
 7 Handbook receipt and acknowledgement dated January  
 8 6th, 1988. Is that your signature?  
 9 A That is my signature.  
 10 Q And did you receive the handbook and  
 11 acknowledge that you read it and would abide by its  
 12 terms?  
 13 A I don't recall what handbook but I'm sure I  
 14 probably went through it. I think I had the  
 15 contract. I know that. I don't have this handbook  
 16 handy. This came out in 1988. Wow. I'm sure I  
 17 don't have it now. 1988, that's twelve, thirteen  
 18 years ago.  
 19 Q In one of your documents you made reference to  
 20 the fact that when you joined the Caucasian employee  
 21 resource group, you were given a form to fill out,  
 22 that among the questions asked were what you could  
 23 do to help the group?  
 24 A I remember that form, right.  
 25 Q Did you keep the form?

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1 and blamed her for not feeding me right, and he  
 2 into an argument. I'll never forget that.  
 3 Q Did your brother live with you all in Florida  
 4 also?  
 5 A He lived across the street with a lady friend  
 6 that he had met there, a real nice lady named  
 7 He was there with her from '81 right until the  
 8 '84 or '85 when we left Eastern.  
 9 Q On our breaks have you had a chance to talk  
 10 your lawyer about that it's important for you to  
 11 give me Lisa's last name in terms of the person  
 12 destroyed the original shirt?  
 13 A Well, her name is actually Millie. Her mi  
 14 name is -- she's a neighbor and she's a good fr  
 15 Her sister died recently and I took care of her  
 16 home, took her to buy dog food, and she became  
 17 kind of a real good friend, and she was there w  
 18 told her about the firing and she saw me basicall  
 19 just throw the T-shirt in the dumpster and out  
 20 went.  
 21 Q But earlier you told me it was a married w  
 22 you were having an affair with; is that correct?  
 23 A Well, she had a guy living there. I thought  
 24 they were married, but she's just a very kind o  
 25 lady and kind of concerned about me, always loo

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1 A No, but I know what it had on it. I put down  
 2 I would help with videotaping any picnics or any  
 3 activities, and I would present talks and  
 4 presentations on the history of aviation.  
 5 Q Did you ever tell somebody that you and  
 6 someone else shot enough shotgun shells into a  
 7 Jewish businessman's house that it looked like Swiss  
 8 cheese?  
 9 A A Jewish businessman's house?  
 10 Q Yes.  
 11 A When did this happen?  
 12 Q My question is, did you ever tell anybody  
 13 that?  
 14 A No, never.  
 15 Q Did that in fact occur?  
 16 A No. I don't normally shoot people's houses  
 17 up, even on Halloween wouldn't do that.  
 18 Q Did the KKK ever tell you to get rid of your  
 19 wife and child?  
 20 A Nope. They never even mentioned anything like  
 21 that. My brother never did. He was a little upset  
 22 that she wouldn't feed me right.  
 23 Q What do you mean by that?  
 24 A In Florida she gave me pee wee eggs in the  
 25 morning and he got mad because I was losing weight

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1 in on us.  
 2 Q Did you have a physical relationship with  
 3 A No. It was just -- she kind of adopted us  
 4 like her own kids, you know.  
 5 Q She was a neighbor. What's her last name?  
 6 A Redman. It's on one of these --  
 7 Q Millie Redman?  
 8 A Mildred, yeah.  
 9 Q Earlier today we talked about your explana  
 10 of the grounds for why you feel like you were  
 11 treated unfairly. Do you remember we had three  
 12 categories; the last one we decided was no long  
 13 part of this deal; right; do you remember those  
 14 three?  
 15 A Uh-huh.  
 16 Q Yes?  
 17 A You'll have to review it. I'm a little bi  
 18 sleepy now. I'm not as alert as I should be.  
 19 You'll have to review what we're talking about.  
 20 Q I asked you to describe for me in your own  
 21 words how you felt like the company had  
 22 discriminated against you based on your race an  
 23 told me three things. No one else from the  
 24 Caucasian employee resource group was disciplin  
 25 Second, other people had worn T-shirts that mig

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1 considered offensive in the workplace and weren't  
 2 terminated and, three, the company hadn't followed  
 3 the peak performance and commitment?  
 4 A Right, peak performance.

5 Q We decided that peak performance was no longer  
 6 part of this because of what the court decided?

7 A Right. That was one of the planks they didn't  
 8 go with us on.

9 Q Sure. Have you told me everything today that  
 10 you know, believe or have evidence of that supports  
 11 your claims for the violation of Section 1981?

12 A Yeah. I've gone through thoroughly all the  
 13 facets and all the particulars of this case that are  
 14 pertinent. Everything is there in the open.

15 Q Have I exhausted your knowledge of this  
 16 perspective in terms of what evidence you might  
 17 possibly offer the court in addition to what you  
 18 testified in support of your 1981 claim?

19 A Yeah. There's not anything else to offer, to  
 20 add to this. This is it. There's no more I can  
 21 think of at all.

22 MR. FRAZIER: I've got some brief cross  
 23 examination if you're finished.

24 MR. CORDELL: Give me a couple of minutes  
 25 with my client and I'll be right back before I turn

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1 over the witness.

2 (Following a short recess at 5:24 p.m.,  
 3 proceedings continued on the Record at 5:28 p.m.)  
 4 EXAMINATION

5 BY MR. FRAZIER:

6 Q Good afternoon, Mr. Mahon. It's been quite a  
 7 long day so I'll be brief if I can. I'm going to  
 8 hand you a T-shirt here that we've been talking  
 9 about and I'll ask you to please hold it up for the  
 10 camera, the front of it, and, if you would, please  
 11 describe what you see on the front of that T-shirt.  
 12 Begin with telling me what's written on that T-shirt  
 13 on the front.

14 A On the front?

15 Q Yes.

16 A Just says --

17 Q Other side.

18 A Turner Diaries and with that guy's name,  
 19 Andrew McDonald.

20 Q Okay, and is there a photograph on the cover?

21 A Picture of two people, a book cover and two  
 22 people shooting a firearm or firearms.

23 Q Did it look like they're shooting at a target  
 24 to you?

25 A No. Just holding them.

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1 Q Turn the shirt around. What does it say on  
 2 the back of that shirt?  
 3 A What will you do when your government comes  
 4 to take away your guns.

5 Q That's not exactly what it says.

6 A Comes to take away your guns.

7 Q Would you start over on that?

8 A What will you do when they come to take your  
 9 guns.

10 Q What else does it say underneath that?

11 A Warning. The FBI has labeled this the most  
 12 dangerous book in America.

13 Q Under that?

14 A Just National Vanguard Books and P. O. Box  
 15 Hillsboro, West Virginia.

16 Q So this is a book that's sold to the public.

17 A Can I put it down now?

18 Q Yeah, you can put it down.

19 MR. CORDELL: Do you want -- I'm sorry.

20 Since he didn't complete it, do you want him to  
 21 the rest of what's on the back?

22 Q Sure. Go ahead and read the website also.

23 Mahon.

24 A It says HTTP, diagonal, WWW.NATVAN.COM and  
 25 other one says HTTP, diagonal, WWW.NATALL.COM.

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1 Q Now, this book, The Turner Diaries -- well,  
 2 first of all, let me back up. What is it about  
 3 shirt, if anything, in your opinion about that  
 4 particular shirt, what message of racial hatred  
 5 you believe is sent by that shirt, if any?

6 A The shirt itself just says --

7 Q Do you believe that shirt sends a message  
 8 of racial hatred?

9 A No. It's a message of gun control. It  
 10 discusses gun control.

11 Q When you wore that shirt to the meeting,  
 12 April 20th, '99 meeting, did you have any message  
 13 that you were trying to send of racial hatred  
 14 you wore that shirt?

15 A No. It was the only shirt I had to wear  
 16 day and I wore it and nothing happened. I mean  
 17 nothing happened that day, nothing happened.

18 Q So when you first started reading the back  
 19 you said what will you do when the government  
 20 to take your guns, but it actually says what  
 21 you do when they come to take your guns.

22 A They.

23 Q Is it your opinion that that phrase means  
 24 will you do when the government comes to take  
 25 guns?

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1 A Pretty much because that is who normally comes  
 2 to take away guns is a government entity or  
 3 authorities.

4 Q Now, being a historian of Germany, do you  
 5 recall before Adolph Hitler ultimately gained  
 6 control of the German government, do you recall him  
 7 taking the citizens' guns away?

8 A Actually I have -- I used to have a Berliner  
 9 Achtung dated in '35 and it had ads for a Walther  
 10 PPK. It's my understanding from the National  
 11 Socialist period that he did take away guns from the  
 12 Communist groups because they were perceived as a  
 13 threat to the reforms.

14 Q He took away the guns from the people that he  
 15 felt were a threat to his government?

16 A Yeah, the Communist party at that time, yeah.

17 Q To his Nazi party?

18 A Yeah.

19 Q This shirt -- in your opinion does this shirt  
 20 represent the right of Americans in their Second  
 21 Amendment to bear arms?

22 A Yes. Basically it's the message that there's  
 23 always entities out there that would like to disarm  
 24 the American people to get more control over the  
 25 populous.

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1 Q Would you agree with me that the founding  
 2 fathers when they put the Second Amendment in our  
 3 Constitution, that the whole notion behind the right  
 4 to keep and bear arms was to protect the American  
 5 way of life so that we would never have a repeat of  
 6 history like what happened in Germany?

7 A Right.

8 MR. CORDELL: I object to the form of the  
 9 question. Unless you declare your own client as  
 10 being a hostile witness, you don't have the right to  
 11 lead him. Object as leading.

12 Q What do you believe that the Second Amendment  
 13 is for?

14 A Second Amendment was put in place by our  
 15 forefathers as an insurance policy because in their  
 16 infinite knowledge of governments, any government,  
 17 regardless of how benevolent, can sometimes turn  
 18 despotic. The Second Amendment guarantees the other  
 19 nine amendments. It guarantees the First Amendment  
 20 especially, the Third Amendment, all the amendments.  
 21 It was put in there as a last-minute ditch insurance  
 22 policy that big governments would have to deal with  
 23 an armed populous. It was strictly a freedom that  
 24 they thought should be in there just in case even  
 25 the best government in the world ever went bad and

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1 it was just there to ensure that those rights were  
 2 upheld.

3 Q I want to show you a photograph which has  
 4 Mahon Bates No. 201 on it. Would you please take  
 5 look at that photograph and tell me what that  
 6 photograph depicts.

7 A Depicts around 1979 me and my wife at that  
 8 time.

9 Q Can you hold that up for the camera?

10 A (Witness complied).

11 Q I notice your wife appears to be of an ethnic  
 12 origin that perhaps from -- is she from the  
 13 Philippines?

14 A Yes, Polynesian. She's Philippine heritage.  
 15 That's where -- I met her in the Navy in Subic  
 16 Philippines. She is from a small town near Subic  
 17 Bay.

18 Q You fell in love with her and you married?

19 A Yeah. Well, we got engaged there and I  
 20 married her here in Washington, the state of  
 21 Washington.

22 Q And did you have any children from that union?

23 A We had a son.

24 Q And do you still have contact with your son?

25 A Oh, absolutely. We go out at least twice

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1 week for dinner and go gambling.

2 Q So would it be fair on my part to conclude  
 3 that your son is half Polynesian and half -- of  
 4 mixed heritage?

5 A Yeah, he's of mixed heritage, biracial.

6 Q How does it make you feel that American  
 7 Airlines has accused you of being a white  
 8 supremacist?

9 A Oh, they're misled; they're wrong. They've  
 10 got wrong information from someplace. Even though  
 11 and my ex-wife get along just fine. Even her  
 12 husband asks me to come over and work on the case  
 13 the time for him when he can't fix it. Supremacist  
 14 no, I'm definitely not a white supremacist.

15 Q Now, the Turner Diaries, American Airlines  
 16 made a big point about the fact that the book  
 17 Turner Diaries makes mention of the systematic  
 18 killing of non-whites, Jews and race traitors.  
 19 according to the definition of a race traitor as  
 20 outlined in the Turner Diaries, wouldn't you be  
 21 considered a race traitor under the ideology of  
 22 Pierce?

23 A I think there's more people would betray  
 24 race as a governmental entity to flood the country  
 25 with other peoples. I don't know if it was

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1 actually -- I never got to that part of the book but  
 2 as I said, I read the first chapter and that's as  
 3 far as I got but, yeah, I would be -- it would be  
 4 upsetting to have a total ideology based on that,  
 5 yeah.

6 Q And Dr. Pierce in his book talks about the day  
 7 of the rope. Have you ever read that section of the  
 8 book?

9 A No, not that section. That was later in the  
 10 book. As far as I know, it wasn't in the first  
 11 chapter, anything about that. The book is a novel,  
 12 and there are a lot of ugly books out there in the  
 13 world. Road Warrior talks about killing thousands  
 14 of Arab people.

15 Q Now, do you think Dr. Pierce, if he were  
 16 around today, would agree with marrying someone from  
 17 another country?

18 A Well, he would probably not agree with it but  
 19 he wouldn't do anything to stop it. He wouldn't go  
 20 out of his way to hurt anybody in a mixed  
 21 relationship. He was a very gifted man, but he was  
 22 wrong in some of his ideology I'm sure.

23 Q Now, here's another photograph that's marked  
 24 Mahon Bates No. 190. Is that a photograph of your  
 25 son?

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1 A Yeah. That's when we were watching the cruise  
 2 ships go out of Miami. That was just after I got  
 3 down there.

4 Q Would you hold that up for the camera, please?  
 5 A (Witness complied).

6 Q Now, have you ever married a Caucasian woman?

7 A I've had relationships with several since  
 8 then.

9 Q But you've only been married once; correct?

10 A Only been married once, correct.

11 Q And she was a Polynesian woman?

12 A Yeah.

13 Q Are you a white supremacist?

14 A No. I don't believe the white race is purer  
 15 than any other race. They're somewhat gifted in  
 16 some things, but every race I believe has gifts. A  
 17 lot of Japanese and Chinese right now I think are  
 18 tremendously gifted in the technologies.

19 Q Let me ask you about an employee by the name  
 20 of Tim Vinson. You had some conversations with Mr.  
 21 Vinson; is that correct?

22 A Yeah. I fixed his VCR, and he worked the next  
 23 hangar over to my hangar.

24 Q Now, did Mr. Vinson tell you that he wore The  
 25 Turner Diaries T-shirt, and I'm talking about the

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1 same exact T-shirt that you just held up for the  
 2 camera, either four or five days in a row to  
 3 American Airlines?

4 A At the arbitration he testified that he wore  
 5 this T-shirt I think four days in his work area  
 6 which is heavily represented by management.

7 Q And he's a Caucasian male?

8 A Yeah. I think his wife is part Native  
 9 American.

10 Q Do you know if he was ever terminated for  
 11 wearing this shirt or given any kind of --

12 A He was not terminated or given any kind of  
 13 disciplinary action for wearing the T-shirt.

14 Q Okay, and you said earlier that I believe  
 15 you're the first person that's ever been terminat-  
 16 ed for wearing a T-shirt at American Airlines?

17 A In the history of American, nobody has been  
 18 fired for a T-shirt.

19 Q Now, was it the exact same shirt -- that Mr.  
 20 Vinson told you that he wore this exact same shirt  
 21 four to five days at American Airlines?

22 A Yeah. At the arbitration he showed that  
 23 T-shirt and he said it was the exact same T-shirt  
 24 he wore.

25 Q And no disciplinary action was taken?

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1 A No disciplinary action whatsoever.

2 Q Do you know how long he worked for the com-  
 3 pany at that point?

4 A I think five years.

5 Q Okay, and how long had you worked for the  
 6 company at the time of your termination?

7 A Just shy of fourteen years.

8 Q Do you have the ability to dictate what,  
 9 for instance, what Tom Metzger puts on his web-  
 10 A I have absolutely no ability at all. Tom  
 11 Metzger is just a vague personality that I real-  
 12 don't know personally. I've talked to him on  
 13 phone once or twice. Given the phone to my bro-  
 14 I don't have any rapport or any type of tight  
 15 relationship with him at all. He is his own per-  
 16 son. His own son left him. He's very, very domineer-  
 17 very aggressive.

18 Q On that same note, do you have any ability  
 19 control what your twin brother, Dennis Mahon,  
 20 either on his racist hotline; do you have any  
 21 ability to control that?

22 A No. He puts on what he wants to do. He's  
 23 a -- very straightforward, stubborn type of  
 24 individual, a very Alpha type personality. I  
 25 control any more what he does than he can control.

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1 me.  
 2 Q So you can't control him going to Tom Metzger  
 3 and telling him about you being fired from American  
 4 Airlines if that in fact happened?

5 A There's no way I could have stopped him  
 6 without having knowledge of it.

7 Q Did you ever at any time ask Mr. Metzger to  
 8 put your story on his White Aryan Resistance  
 9 hotline?

10 A No, not even once, not even entertain the  
 11 idea. Tom Metzger and me are not in any way  
 12 associated.

13 Q Now, do you remember recently we went to  
 14 Denver to the United States Court of Appeals; do you  
 15 remember that?

16 A Absolutely.

17 Q And after the decision was rendered, there was  
 18 a newspaper article in the Daily Oklahoman. Do you  
 19 recall that newspaper article?

20 A Absolutely. It was about ten paragraphs.

21 Q Did you read that thoroughly?

22 A Yeah, I read the article thoroughly.

23 Q Do you remember what the American Airlines  
 24 company spokesman said with regard to why discipline  
 25 was taken against you for wearing the shirt as

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1 opposed to the other person?

2 A In the article he claimed that the other  
 3 person wore the T-shirt without the same implied  
 4 meaning than I did. He said the other person didn't  
 5 wear it for the same reason that I wore it  
 6 basically.

7 Q Do you believe that -- do you believe in ESP,  
 8 that people can read other people's minds?

9 A Only in fairy tale books. It's generally not  
 10 an acceptable phenomenon.

11 Q So in your opinion, Mr. Vinson wearing this  
 12 shirt four or five days in a row, do you think he  
 13 was intending on sending a message to American  
 14 Airlines?

15 A I don't know his mind. I have no idea what  
 16 his -- what he was trying to convey; if he wore it  
 17 because it's the last thing he had to wear. Who  
 18 knows? I don't know the man that well, but I  
 19 couldn't say one way or the other.

20 Q But you wore the shirt one time and were  
 21 fired?

22 A One day, yeah.

23 Q Now, the day that you wore this shirt, when  
 24 you put that shirt on that morning, when you left  
 25 for work, did you have any idea that there was going

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1 to be a Caucasian employee resource meeting to  
 2 discuss the pamphlet that had been handed out at  
 3 diversity fair?

4 A I had no idea if there was going to be a  
 5 meeting that day or not. Until I was notified by  
 6 Eric Hanson that there was a flyer on the bullet  
 7 board that announced the meeting, I had no idea  
 8 meeting was going to take place that day.

9 Q And you already had that shirt on when you  
 10 found out about that meeting; correct?

11 A I was already at work, yeah, already there.

12 Q Did you ever have any confrontations of any  
 13 sort with Robert Hosey before the April 20th, '98  
 14 meeting?

15 A I didn't know who he was even. I had no idea  
 16 who he was until he came into the meeting and he  
 17 said he was from Dallas and he was in the diversity  
 18 council.

19 Q And he was an African American gentleman, was  
 20 he not?

21 A Yes, he was.

22 Q Now, at the meeting was it mentioned to you  
 23 anyone in authority that that shirt had any racial  
 24 connotations?

25 A Nobody made any comment about it or even  
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1 looked at it that I could tell at the meeting.  
 2 Q In fact, if I remember correctly from the  
 3 arbitration transcript, didn't they have to go look  
 4 up what The Turner Diaries were?

5 MR. CORDELL: Object to the form of the  
 6 question. The transcript says what it says.

7 Q Do you believe Mr. Hosey or any of the other  
 8 members at that meeting even knew what The Turner  
 9 Diaries were?

10 A Probably not because they had to put me out  
 11 service to investigate it first. There was no  
 12 mention of the T-shirt, and they put me out of  
 13 service to determine if that was a bad T-shirt.  
 14 They had to search, probably heavily search the  
 15 Internet or whatever to find the T-shirt, the  
 16 meaning of the T-shirt.

17 Q And is it your understanding that even after  
 18 Vinson testified at the arbitration that he wore  
 19 this same particular shirt four to five days in a  
 20 row, do you know if there was ever any action taken  
 21 against him after that arbitration?

22 A Not to my knowledge. Of course, I was out  
 23 work. I have no ability to find out, but to my  
 24 knowledge, there was no action taken against him  
 25 whatsoever.

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1 Q Would you agree that you're similarly situated  
 2 with Mr. Vinson in that you're both Caucasian males?  
 3 A Right, we're both Caucasian males.  
 4 Q And you both wore Turner Diaries T-shirts to  
 5 American Airlines?

6 A Yes.

7 Q He was not terminated; correct?

8 A He was not terminated.

9 Q You were terminated?

10 A I was terminated.

11 Q Do you feel like you were singled out?

12 A Yes, I do. I think I was targeted without  
 13 warrant and terminated without just cause.

14 MR. FRAZIER: That's all I have.

CONTINUED EXAMINATION

15 BY MR. CORDELL:

16 Q Just a few questions, sir, starting back  
 17 and -- starting now and going backwards. Is it  
 18 correct then for me to understand the person you  
 19 believe you're similarly situated with is Mr.  
 20 Vinson?

21 A Right. He basically wore the same T-shirt and  
 22 was not affected by that T-shirt by wearing it.

23 Q And is there anybody else that's similarly  
 24 situated to you in your opinion?

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1 A As far as anybody wearing that T-shirt; I  
 2 don't know of any other person that wore that  
 3 T-shirt.

4 Q Okay. Andrew McDonald, the person whose name  
 5 appears on the bottom of the front side of the  
 6 T-shirt and under whose name The Turner Diaries is  
 7 penned is actually Dr. William Pierce; correct?

8 A Yeah. I know that now, yes.

9 Q In fact, here in the back of book you have  
 10 there's an article about the author and part of that  
 11 indicates very clearly that Dr. Pierce is the  
 12 chairman of the National Alliance?

13 A The book I had is a smaller version and it did  
 14 not have this stuff on the back. It did not have --  
 15 I never saw anything in the back of the book like  
 16 this page. It was a smaller version. It didn't  
 17 have any of that stuff I saw.

18 Q Do you recognize that Dr. Pierce was the head  
 19 of the National Alliance?

20 A Yeah, here it does. I see it there.

21 Q In fact, on this page that we're looking at  
 22 and one of the websites you read off the front of  
 23 the T-shirt is the website address for the National  
 24 Alliance; correct?

25 A Right, that right here, these two here are the

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1 addresses on the T-shirt, website, if you have  
 2 computer.  
 3 Q What's the National Alliance?  
 4 A I don't know. It's some kind of a group.  
 5 Q What kind of group?  
 6 A Separatists of some kind obviously. I do  
 7 know. Since this man died, I don't know if it  
 8 been defunct or whether it's still a viable gr  
 9 I imagine it probably died at the same time he  
 10 A lot of these groups start up and if the found  
 11 dies, his group dies, too.  
 12 Q I'm sorry, did you finish?  
 13 A Yes.  
 14 Q With respect to the day in question, April  
 15 1999, obviously you testified that you hadn't  
 16 about the meeting before you went to work that  
 17 correct?  
 18 A I didn't know the meeting was going to be  
 19 day.  
 20 Q And you wore the T-shirt, went to the mee  
 21 we know; correct?  
 22 A Yes, that's correct.  
 23 Q Was that the only T-shirt you had availab  
 24 wear to that meeting?  
 25 A That was the only T-shirt I had available

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1 wear that day. I had a big laundry load that  
 2 didn't get a chance to get cleaned and that wa  
 3 only one I had to wear.  
 4 Q Directing your attention to Defendant's  
 5 Exhibit 33, please. These are your notes date  
 6 10, 1999, the day you got fired. Look at Page  
 7 A Is that 32 or 33?  
 8 Q 33.  
 9 A Well, I don't see here it here. Here's 3  
 10 Hold it. It must be right here.  
 11 Q Here's a copy of it.  
 12 A Okay. It's one page, okay.  
 13 Q We're looking at your May 10, 1999 notes;  
 14 correct?  
 15 A Uh-huh.  
 16 Q Yes?  
 17 A Yes, I see it here.  
 18 Q You've already testified that these are  
 19 accurate; correct?  
 20 A They're accurate to the best of my abilit  
 21 Q Top of the second page says that the very  
 22 after two hours into the shift you found an an  
 23 the right shoulder of the T-shirt that became  
 24 stained with Skydrol. At the time I changed T  
 25 Turner Diaries with an older faded AA shirt th

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1 always kept at the bottom of my toolbox.  
 2 A Yeah. It was my partner's toolbox but we  
 3 shared it, and we had a real old heavily soiled --  
 4 it was not an AA uniform shirt; it was an AA DC-10  
 5 T-shirt that we bought from this gentleman that sold  
 6 T-shirts and it was heavily soiled but didn't have  
 7 the Skydrol on it, so I had to put that on.

8 Q So you could have worn that one to the  
 9 meeting?

10 A I had no idea it was in there. This is in the  
 11 very bottom, way back in the bottom of the toolbox.  
 12 I had to really dig for it.

13 Q Doesn't it say an AA T-shirt that I always  
 14 kept in the bottom of my toolbox?

15 A Well, that's wrong it was in there. I don't  
 16 have that T-shirt. That T-shirt I keep at the  
 17 house. I don't have that T-shirt at work. I don't  
 18 keep any of these T-shirts at work.

19 Q Which version is correct; the version that you  
 20 wrote on May 10, 1999 or the one you just testified  
 21 to?

22 A Well, just testified to. There was a T-shirt  
 23 that I wore was in the bottom of my friend's  
 24 toolbox.

25 Q And you had always kept it there, hadn't you?

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1 A Well, it was there but I had no idea it was  
 2 there until I dug for it. I had to dig for it to  
 3 get it. It was heavily soiled, very dirty, dusty  
 4 old T-shirt.

5 Q Now, you compared yourself with Vinson and you  
 6 say he's the one who you are similarly situated with  
 7 and he wasn't terminated for wearing the T-shirt.  
 8 Once again, as you stated in Exhibit 42, is it your  
 9 belief that the reason the company fired you was  
 10 because of the company's perception, albeit an  
 11 erroneous perception, of my social and political  
 12 beliefs?

13 A Right. I think that's correct.

14 MR. CORDELL: That's all I have.

CONTINUED EXAMINATION

16 BY MR. FRAZIER:

17 Q Mr. Mahon, briefly what does the concept equal  
 18 protection mean to you?

19 A Equal protection means basic fairness of  
 20 treating everyone equally. If a certain issue comes  
 21 up, that everybody, no matter who they are, gets  
 22 treated the same under that condition, under that  
 23 issue.

24 Q Do you believe in that idea?

25 A Yes, absolutely, absolutely.

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1 Q Now, let's just say for the sake of  
 2 discussion, let's just say you wore that shirt  
 3 the meeting on purpose. Let's say you intended  
 4 wear that shirt and send a message that day. I  
 5 not saying you did, but let's just assume for the  
 6 sake of argument that you intended to send a message  
 7 on April 20th of 1999. Don't you still believe  
 8 in order for you to get equal protection, that  
 9 should be treated the same as Mr. Vinson, who  
 10 the same shirt?

11 A Absolutely. That's part of the fairness  
 12 doctrine of equal protection.

13 MR. FRAZIER: That's all I have.

CONTINUED EXAMINATION

15 BY MR. CORDELL:

16 Q One last question. Mr. Vinson is white,  
 17 he?

18 A He's Caucasian.

19 MR. CORDELL: Okay.

20 MR. FRAZIER: Read and sign, please.

21 (Whereupon, the deposition was  
 22 concluded at 5:54 p.m.)

23

24

25

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SIGNATURE PAGE

1  
 2  
 3 I, Daniel W. Mahon, do hereby certify  
 4 that the foregoing deposition was presented to  
 5 Lisa A. Steinmeyer as a true and correct trans-  
 6 of the proceedings in the above styled and num-  
 7 cause, and I now sign the same as true and cor-  
 8 WITNESS my hand this \_\_\_\_\_ day  
 9 \_\_\_\_\_, 2003.

10

11

12

DANIEL W. MAHON

13

14

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16

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18

SUBSCRIBED AND SWEARN TO before me the  
 day of \_\_\_\_\_, 2003.

19

20

21

Notary Public

22

23 My Commission Expires:  
 \_\_\_\_\_

24

25

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## 1 C E R T I F I C A T E

2 STATE OF OKLAHOMA )  
 3 ) ss.  
 4 COUNTY OF TULSA )

5 I, Lissa A. Steinmeyer, Certified  
 6 Shorthand Reporter within and for Tulsa County,  
 7 State of Oklahoma, do hereby certify that the above  
 8 named witness was by me first duly sworn to testify  
 9 the truth, the whole truth and nothing but the truth  
 10 in the case aforesaid, and that I reported in  
 11 stenograph his deposition; that my stenograph notes  
 12 were thereafter transcribed and reduced to  
 13 typewritten form under my supervision, as the same  
 14 appears herein.

15 I further certify that the foregoing 252  
 16 pages contain a full, true and correct transcript of  
 17 the deposition taken at such time and place.

18 I further certify that I am not attorney  
 19 for or relative to either of said parties, or  
 20 otherwise interested in the event of said action.

21 WITNESS MY HAND AND SEAL this 4th day of  
 22 November, 2003.

23  
 24 LISA A. STEINMEYER, CRR  
 25 CSR No. 386

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1 CORRECTIONS TO THE DEPOSITION OF  
 2 DANIEL W. MAHON3 PAGE AND LINE NUMBER CORRECTION

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# EXHIBIT E

EXHIBIT E

⇒ Promote tolerance and respect for all other employees.

⇒ Open membership to all AMR employees.

⇒ Have no financial or organizational relationship to groups outside of AMR.  
⇒ Fill out an application with the Diversity Advisory Council.

Most importantly, the Employee Resource Group must be willing to identify business objectives that the group can help achieve, for example, the promotion or mentoring of minority employees, proposing flexible hours for working parents, proposing solutions for accommodating customers or employees with disabilities. Employee Resource Groups are not forums for the advancement of political or moral viewpoints – the work they do must relate to the business.

#### How Do I Find Out More?

More detailed information about The Diversity Advisory Council can be found in SABRE Star Record F-01V.

Diversity Advisory Council members are also eager to hear from you! You can reach them by sending an E-Mail to Diversity, boardmail to MD 5105 HDQ, or by calling the Diversity voice mail telephone number at 817-931-7117.

#### 1999 Diversity Advisory Council Members

African American	Nathan Cage Rose Striplin	Asian Cultural Association	Alan Yee Alice Liu	Caucasian Employees	Craig Nichols Linda Dil	Christian Employees	Sheila Yancey-Bicknell Carol Kasther	Employees With Disabilities	Alan Thompson Lorraine Bergen	Gay, Lesbian, Bisexual, Transgender	Robbin Burr Randy Soderstrom	Indian Employees	Dinesh Parmar Sukumar Bhasker	Jewish Employees	Michael Heymann Francine Rubin	Latino American	Rafael Fornauzzi Pedro Mari	Muslim Employees	Susan Odeh Reza Hussain	Native American Employees	Jimmy Tramel Women in Aviation	Work & Family Balance	Carole Sturm Amy Hill	40 Plus/Senior Employees	Diane White		
	817-224-0212 918-292-3277		817-931-6912		918-292-0253 918-292-0258		817-967-4194 817-931-6912		817-967-2035 817-967-9831		972-426-7394 817-931-7117		917-931-7680 817-264-7932		817-931-6487 817-963-5080		817-967-0876 918-292-2264		817-963-2489 817-264-2368		918-292-2448		918-292-3762 817-224-0089		817-963-5668 817-967-2951		972-266-1255

AMR

DIVERSITY

#### Respecting Differences

#### AMR'S

#### Diversity Advisory

#### Council

# EXHIBIT F

# EXHIBIT F

## QUESTIONS AND ANSWERS FOR DIVERSITY INFORMATION FATS

### 1. Q: What is the Diversity Council?

A: A group of AMR employees elected by their respective employee resource group members (ERG) to assist and educate the AMR Executive Steering Committee on issues important to AMR employees and customers. The council meets once per month to address issues and concerns of employees and customers throughout AMR.

Council members also participate in training activities specifically designed to help them perform their roles on the council and in their respective employee resource groups:

### 2. Q: Is the Diversity Council necessary?

A: Yes. Corporations around the world have realized the importance of understanding and utilizing the resources available from the people who come from many different cultures, backgrounds etc.

The AMR Diversity Programs allows employees to voluntarily organize and participate in employee resource groups that represent their interests. The council allows representatives from these groups from all levels of the organization to educate, present and inform senior management of the issues most important to them. Sometimes these issues are also important to our customers. Therefore, we become a stronger and more competitive company because we benefit from the input of the diversity council.

### 3. Q: Does having separate employee resource groups (ERGs) promote more division and segregation among employees who are different?

A: No. As each group is represented, they will bring forward their input into issues of importance to their group and in turn issues common to other groups as well. Many employees thrive in employee resource groups where there are others who share their common culture, religion, interests, etc. As a result, some employees feel more a part of the AMR family. ERGs serve as sources of information about the company, career development and resources in the communities in which the employees live.

All ERGs are required to respect other resource group members and find areas of common interests. ERGs may work jointly on projects and issues of common concern. At the same time, ERG members learn more about others who are different from themselves. In other words, the AMR diversity community is growing and is a network of people who support not just their own group, but support each other throughout the AMR diversity community.

4. Q: Are you guys for real? How can all the different groups get along together?

A: Yes. We are for real. We are committed to have a workforce where differences are respected among employees and customers. OK. None of us are perfect, but those who participate in diversity try very hard to work through our differences. We do not always agree with one another. But, we respect that others may think and act in a matter that is different from our own. Some of our best ideas and solutions start with opposing opinions.

5. Q: Does upper management listen to what you say?

A: AMR executives are an active part of the diversity council. They currently meet with the council twice per year to address specific issues and concerns. Members of senior management also support employee resource groups as sponsors. Diversity Advisory Council members have access to senior managers through sponsorship and other activities all year. Upper management does listen and realizes the importance of diversity at AMR.

6. Q: What the employee resource groups represented on the council?

A: African-American ERG, (AAERG), Asian Cultural Assoc. (ACA), Caucasian ERG (CARG), Christian ERG (CERG), Work/Family Balance, Employees with Disabilities, Women in Aviation, Gay/Lesbian/Transgender Bisexual Employees (GLEAM), Indian Employees (IERG), Jewish Employees, Latin Employees (LERG), Muslim Employees (MERG), Native American Employees (NAERG), 40 Plus Employees.

7. Q: How do I start a resource group?

A: If there is a group represented at the info. fair that you would like to start at your location, contact the diversity council representatives for that resource group. Contact information should be located on the brochures available at the info. fair.

If you would like to start a brand new resource group, a petition should be made to the diversity council. The council will evaluate the petition based on the value the group would provide to employees and customers of AMR. The purpose of the group must be consistent with the vision, goals and initiatives of AMR diversity.

8. Q: How can I participate?

A: Anyone can participate. The success of employee resource groups depends on the energy and commitment of its members. You can join any ERG that you have an interest in supporting. Membership is open to all.

9. Q: Are all the council members management?

A: No. Membership in ERGs is open to all employees. The elected representatives to the council represent employees from various parts of our business and from all levels of the organization. There is no requirement that council members come from any particular part of the corporations or any particular level of management.

10. Q: Why is there a need for racial/ethnic employee resource groups?

A: Diversity as a concept is not designed to exclude any group of employees. All employee resource groups have goals and activities that are consistent with AMR's diversity vision and goals.

# EXHIBIT G

# EXHIBIT G

DAC Special Session  
Talking Points for ERG Members  
3/25/99

- At the DAC InfoFair held in Tulsa on March 11, the Caucasian Employee Resource Group (CERG) distributed a flyer celebrating "Caucasians in Aviation"
- We were informed by CERG officers/members that the flyer was developed by individuals believed to have an affiliation with local extremist groups. Some of the comments on the flyer were similar to rhetoric used by those groups in a racist nature
- The material was not made available to Diversity Programs for review prior to its distribution and leaders of the CERG indicate that they did not review the material. A number of employees and some members of management were offended by its message
- As a result of the ensuing controversy surrounding the flyer, effective immediately, the Caucasian Employees Resource Group has been suspended from participation on the Diversity Advisory Council and all privileges associated with being a recognized employee resource group have also been suspended for six months
- The six-month period will allow the CERG to review their mission and vision. They will be allowed to submit an application for re-admittance to the Council at the end of the six-month period

There are several issues associated with American Airlines' response to the content of the flyer and the action the company was required to take

- It is AMR's policy to provide a workplace free of all forms of harassment and discrimination
- ANY communication that suggests AMR tolerates racist attitudes or that AMR sanctions the formation of groups that espouse racist or extremist ideas is unacceptable
- Because the perspective that was suggested in the flyer is completely contrary to the principles and initiatives of diversity, action must be taken
- The Company is taking the action described above because:
  - The reputation of the Company is at stake
  - The reputation of the Diversity Advisory Council is at stake
  - The credibility of all Employee Resource Groups are at stake

EXHIBIT

Arbitration  
Company

The leaders of the CERG have indicated that the comments in the flyer do not reflect the values of their group. Nevertheless, the impact of the comments has made this issue one that must be dealt with at a corporate level rather than by the Council.

We are all saddened by the outcome of this issue. The CERG is a valuable member of the Diversity Advisory Council family and will receive the support necessary to enable it to return as a contributing member. We encourage CERG leaders and members to seek the advice and council of management and those Council members who are able to provide the guidance they need.

# EXHIBIT H

# EXHIBIT H

AMERICAN AIRLINES CAUCASIAN EMPLOYEES RESOURCE GROUP

SALUTE THE FOLLOWING AVIATION PIONEERS



Wilbur Wright  
FIRST POWERED FLIGHT



Bleriot  
FIRST TO FLY THE ENGLISH CHANNEL



James H. Doolittle  
FIRST TO FLY MEDIUM  
BOMBER OFF AIRCRAFT  
CARRIER



Fransisco Baracca-Papa  
ITALIAN AIR RACE PIONEER



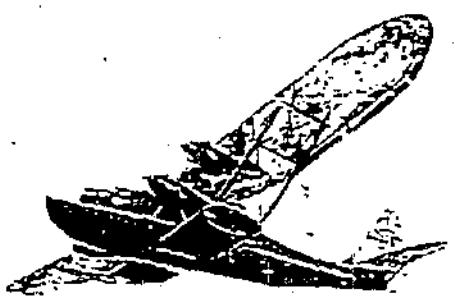
Werner Von Braun  
PIONEERED MODERN ROCKETRY



Hugo Junkers  
MADE FIRST ALL METAL  
COMMERCIAL AIRLINER



Amelia Earhart  
PIONEER WOMAN  
AVIATOR



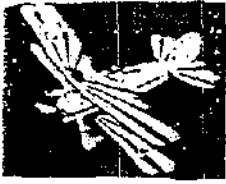
Helene Dutrieu  
SECOND WOMAN IN  
HISTORY TO LEARN TO FLY

CONTINUED ON PAGE TWO

ACE 2



Eddie Rickenbacker on the road.

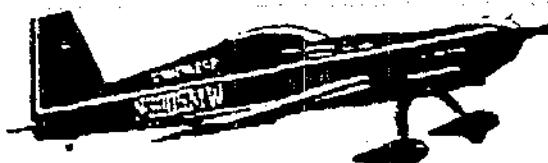
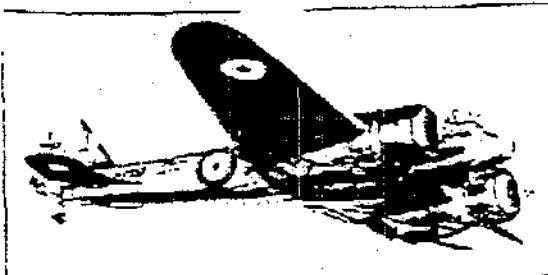


Captain Edward Rickenbacker  
AMERICAN WWI ACE  
AND LEADER OF E.A.L.

FOUND THE WORLD'S FLIGHT  
SET ALTITUDE RECORD



Gen. Chuck Yeager  
FIRST TO BREAK  
SOUND BARRIER



Charles A. Lindbergh  
FIRST TO FLY SOLO  
ACROSS ATLANTIC OCEAN

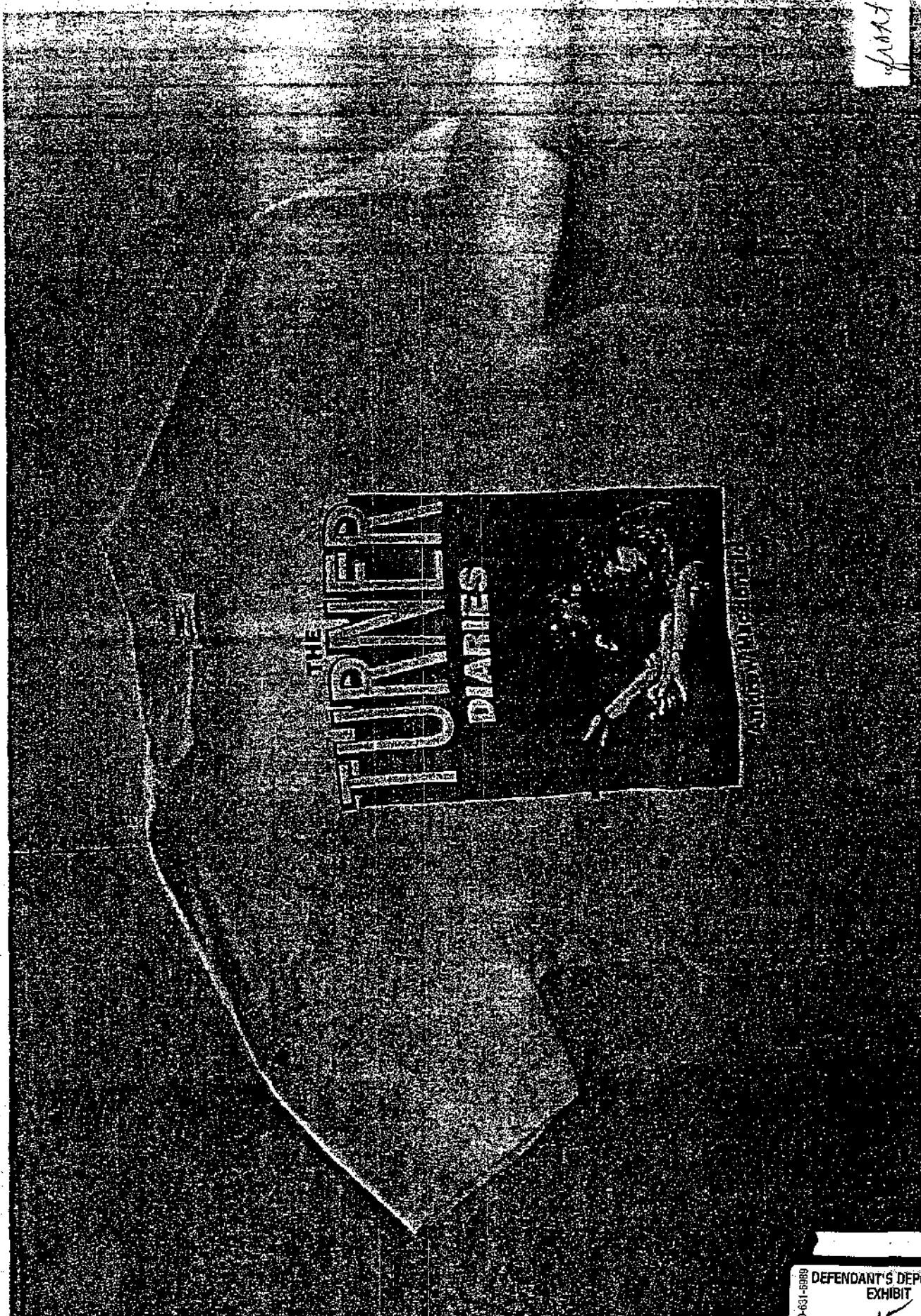
These famous men and women who made aviation history all have one thing in common. They are all members of the White Race. A race of explorers, discoverors, scientists, and philosophers. We are proud of the accomplishments of our noble Race in the past, present, and future.

FOR MORE INFORMATION ON THE CAUCASIAN EMPLOYEE RESOURCE GROUP,

CONTACT: LINDA DILL, ICS 292-0258  
OR CRAIG NICHOLS ICS 292-0253  
MAIL DROP 610 TULE

# EXHIBIT I

EXHIBIT I



Bank

When will you go  
When they come  
to take your guns?

# EXHIBIT J

EXHIBIT J

DATE: May 10, 1999

TO: Daniel W. Mahon  
Employee # 056628

REF: Final Advisory (Discharge)

On Tuesday, April 20, 1999, you attended a meeting of the Caucasian Employee Resource Group. The purpose of the meeting, which senior Maintenance and Engineering management also attended, was to discuss the role of American Airlines' employee resource groups in supporting diversity in our workplace and to discuss the recent 6-month suspension of the Caucasian Employee Resource Group. American suspended the Group after it handed out a flyer that advocated white supremacy at the Diversity Info Fair, a company event. The Group's conduct violated a basic tenet of the AMR Diversity Advisory Council. This tenet is that no group can form and be recognized as an Employee Resource Group that is in opposition to another group. You admitted during the April 20 meeting that you wrote the flyer and supplied it to the group for distribution.

At the meeting, and at work on the day of the meeting, you wore a T-shirt with the words "The Turner Diaries" printed on it. "The Turner Diaries" is a book written by a leader of one of the largest and most organized neo-Nazi groups in the country. It is widely regarded as a white supremacist and anti-Semitic terrorist manual. "The Turner Diaries" describes the systematic killing of "Jews", "non-whites", and "race traitors" in order to establish an "Aryan" world. The book is also infamous as having been found in the car of Timothy McVeigh at the time of his arrest for bombing the Murrah Federal Building in Oklahoma City. The cover of the book shows a drawing of two people pointing firearms as if in combat. Your T-shirt also showed a rendition of that cover.

American received a number of complaints from other employees regarding your T-shirt, as well as the flyer that you wrote. In response to your actions and to the complaints received, American conducted an investigation. The 29(f) investigation was initiated on Monday, April 26, 1999. The investigation covered the complaints received, as well as your actions with white supremacist organizations and their members.

As a result of this investigation, American has concluded that:

- By writing the flyer and supplying it for distribution at the Diversity Info Fair and by wearing your "The Turner Diaries" T-shirt to work and to the April 20 meeting, you harassed and intimidated other employees in a manner that tended to create a racially hostile work environment.

Daniel W. Mahon - Final Advisory (Discharge)

- Your actions have adversely impacted the perception and reputation of American Airlines within our employee groups and in the community at large.
- Your actions as described above are a direct violation of American Airlines' Policy on Unlawful Harassment, which prohibits conduct that is harassing and that "creates an intimidating, hostile, or offensive work environment."

Your actions are also a direct violation of the following American Airlines' Policies and Procedures:

Rule 32 - "Threatening, intimidating, interfering with, or violent behavior toward another employee while either on or off duty is prohibited."

Rule 24 - "Consider the welfare of the Company and your fellow employees. Perform no act that is detrimental to either."

Rule 22 - "See that your conduct reflects credit upon AA. This includes paying your just debts, thereby avoiding complaint from creditors or garnishment proceedings."

As an employer of a widely diverse workforce, as an employer in an industry that must guarantee the highest standard of safety to the flying public, and as an employer in the Tulsa, Oklahoma Community, American Airlines cannot and will not tolerate conduct of this type.

You are hereby discharged from your employment with American Airlines, effective this date. All Company property, including but not limited to, AA identification cards, badges of any kind, and keys assigned to you, are to be returned to me and are not to be used for any purpose after the date of this letter. Any pay due to you will be paid upon surrender of all Company property. Please contact me about any questions regarding benefits, Credit Union membership, etc., which you may have.

Tom Snyder  
Tom Snyder, Production Supervisor

7867 / 2216  
Business Unit / Shop

cc: Field Human Resources  
Personnel File – MD 122 / TUL

# EXHIBIT K

# EXHIBIT K

Rex Thompson

Dear Mike Farren, atty.

I have been terminated from my employment with American Airlines. Enclosed is a copy of the Opinion and Award of the Arbitration Panel (Exhibit "A"). As you will note, by a 2 to 1 vote, the Panel found that I was terminated for just cause. Succinctly stated, my termination was based upon my alleged political and social views

I was hired by American Airlines ("the company") on March 17, 1986, as an aircraft avionics mechanic. My employment record, as well as the statements of three crew chiefs, that I was an "exceptional if not model mechanic, and "never talked about the KKK or political views at work and never was intimidating."

In addition -- although not reflected in Exhibit "A" -- my wife, Myrna, is a Filipino. Although my twin brother, Dennis Mahon, has long been involved in such activities, I have never been a member of the Klan nor of any other white racialist organization.

By sorting through the verbose rhetoric of the Panel's majority opinion, you may glean the thin factual basis for my termination.

#1: The Diversity Fair Pamphlet.

By way of background, The company encourages the formation of Employee Resource Groups (ERG) to represent employees with "unique racial, ethnic, cultural or lifestyle differences." I was a member of the Caucasian Employee Resource Group (CERG) at The company. Other examples of the Tulsa groups include, *inter alia*: (1) African-American ERG, (2) Asian Cultural Association, (3) Christian ERG, (4) Employees with Disabilities ERG, (5) Gay, Lesbian, Bisexual, Transgender ERG, (6) Indian ERG, and (7) Jewish ERG.

On March 11, 1999, CERG was a participant in a "Diversity Fair" conducted by The company. CERG was encouraged by The company -- as were the other Employee Resource Groups -- to get a booth at the fair and do a project providing information and understanding about the ERG.

I was not present at this fair, although I did write a pamphlet entitled "Caucasians in Aviation" (Exhibit "B") which was distributed at the fair. Significantly, this pamphlet (Exhibit "B") was tendered by CERG to management prior to the Fair, and no objection was raised by the officials of the company. Nonetheless, after the Fair,

management officials belatedly deemed the existence of "white supremacist/neo-nazi overtones" in the wording of the pamphlet.<sup>1</sup> On this basis, The company suspended the privileges of CERG for six months.

#2: The Turner Diary T-Shirt

On April 20, 1999, Robert Hosey, Manager of Diversity Programs for the Company, conducted a meeting to announce the suspension of CERG. I attended that meeting, wearing a T-shirt that showed the cover to a book entitled The Turner Diaries. Substantial evidence was submitted at the grievance hearing (Exhibit "A") that other employees had worn "offensive T-shirts" and were told by the Company to "change them or turn them inside out." Regardless, the Arbitration Panel ruled in favor of the Company, finding that such conduct "was a deliberate expression of deeply held racist and social beliefs."

In summary, I have never been accused of verbally harassing or intimidating my fellow workers at The company. Nor has anyone accused me of using racial epithets at work, or even discussing politics. All I did was to write a pamphlet and wear a Turner Diaries T-shirt. In retrospect, the latter was perhaps an error in judgment, but hardly a public display of my "racial and ethnic hatred oozing from its ugly depths."

In point of fact, The company fired me because of the Company's perception (albeit an erroneous perception) of my social and political beliefs.

I would greatly appreciate any information or assistance you can provide to me in this matter.

Sincerely,



Daniel W. Mahon

<sup>1</sup> "These famous men and women who made aviation history all have one thing in common. They are all members of the White Race. A race of EXPLORERS, discoverers, scientists, and philosophers. We are proud of the accomplishments of our noble Race in the past, present, and future."